

476), Sec. 683, Title 16, U. S. Code, I. R. G. Tugwell, Acting Secretary of Agriculture, do make and publish the following regulation respecting fishing within the Big Levels Game Refuge, Virginia.

Fishing is hereby authorized within the Big Levels Game Refuge, Virginia, under permits issued by the Supervisor of the George Washington National Forest, in accordance with instructions received by him from the Chief of the Forest Service, Washington, D. C., which permits shall state the place and time of fishing, and the number and size of fish that may be taken.

In witness whereof, I have hereunto set my hand at Washington, D. C., this 23d day of April 1936.

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

[F. R. Doc. 403—Filed, April 23, 1936; 12:44 p. m.]

FEDERAL HOME LOAN BANK BOARD.

Home Owners' Loan Corporation.

COLLECTION OF INCIDENTAL COSTS

Be it resolved, pursuant to the authority vested in this Board by the Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647), and particularly by sections 4 (a) and 4 (k) of said Act, as amended, that section 16 of Chapter VI of the Manual of Rules and Regulations of Home Owners' Loan Corporation is hereby amended by striking out all portions of said section 16 which follow the tenth paragraph thereof and by substituting therefor the following:

Until otherwise provided by the regulations, all efforts to collect from applicants or other parties obligated therefor incidental costs incurred in connection with applications heretofore or hereafter rejected or withdrawn are hereby suspended, provided, however, that the General Manager, with the approval of the General Counsel or an Associate General Counsel, may direct that efforts to collect such incidental costs be made in any particular case or class of cases, but such direction shall only be made where a special arrangement was made for the payment of such incidental costs or where:

- (1) The applicant voluntarily withdraws his application,
- (2) The loan is not made on account of defects in title,
- (3) The applicant has misrepresented or concealed such facts as would have caused the rejection of the application,

and the collection of such incidental costs is authorized under any of the foregoing (1), (2), and (3) in force at the time of such rejection or withdrawal.

No refund of any expense advanced or paid in whole or in part by the applicant, a lien holder or other party shall be made except on the approval of the Regional Manager or Assistant Regional Manager and the Regional Counsel or Assistant Regional Counsel.

Nothing contained in the foregoing shall operate to cancel any such obligation or release any party therefrom or any right of said Corporation with respect thereto, or to prevent said Corporation from accepting payments received from applicants or other parties obligated for such incidental costs; and

Be it further resolved, That all provisions of the regulations and all Bulletins which are in conflict with the foregoing be, and the same are hereby, repealed.

[SEAL]

R. L. NAGLE, Secretary.

[F. R. Doc. 391—Filed, April 23, 1936; 10:04 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 18th day of April A. D. 1936.

[Docket No. BMC 2600]

APPLICATION OF EARL W. SLAGLE, DOING BUSINESS AS SLAGLE TRANSFER COMPANY

In the matter of the application of Earl W. Slagle, individual, doing business as, Slagle Transfer Company, of 1828 N Street, Lincoln, Nebr., for a permit (form BMC 1)

authorizing operation as a contract carrier by motor vehicle in the transportation of commodities generally in interstate commerce between the following points:

1. Between Lincoln, Nebr., and St. Paul, Minn., via Council Bluffs, Ames, and Hampton, Iowa, and Farmington, Minn., returning over same route, with the exception of serving Grand Island, Nebr.

2. Between Lincoln and Beatrice, Nebr., via U. S. Highway 77.

3. Between Lincoln and Fairbury Nebr., via U. S. Highway 77 and State Highway 3.

4. Between Lincoln, Nebr., and St. Paul, Minn., via Omaha, Nebr., Council Bluffs, Ames, and Hampton, Iowa, and Farmington, Minn., returning over the same route, with the exception of serving Union, Nebr., and Topeka, Manhattan, Abilene, Marysville, Emporia, Newton, Wichita, and Sabetha, Kans.

5. Between Lincoln, Nebr., and Milwaukee, Wis., via Omaha, Nebr., and Chicago, Ill., returning via Rochelle, Ill., Clinton, Iowa, and David City and Seward, Nebr.

6. Between Lincoln, Nebr., and Pueblo, Colo., via Grand Island, Nebr., and Sterling and Denver, Colo.

7. Between Lincoln, Nebr., and Chicago, Ill., via Omaha, Nebr., Council Bluffs, Iowa, and Silvis and Lamoille, Ill.

8. Between Lincoln, Nebr., and Quincy, Ill., via Union, Nebr., Glenwood, Burlington, and Keokuk, Iowa, and Hamilton, Ill.

9. Between Lincoln, Nebr., and Waukesha, Wis., via Omaha, Nebr., Clinton, Iowa; Rochelle, Ill.; and Janesville and Jefferson, Wis.

10. Between Lincoln, Nebr., and La Crosse, Wis., via Omaha, Nebr., and Albert Lea and Austin, Minn.

11. Between Lincoln, Nebr., and Chicago, Ill., via Union, Nebr., Burlington, Iowa, and Monmouth, Good Hope, Canton, and Chenoa, Ill., returning via Moline, Ill., and Omaha, Nebr.

12. Between Lincoln, Nebr., and Milwaukee, Wis., via Omaha, Nebr., Iowa Falls and Dubuque, Iowa; and Madison, Wis.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor.

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton at 9 o'clock a. m. (standard time) May 11, 1936, at the office of the State Railway Commission of Nebraska, Lincoln, Nebr.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 389—Filed, April 22, 1936; 2:54 p. m.]

Saturday, April 25, 1936

No. 31

PRESIDENT OF THE UNITED STATES.

APPLICATION OF DUTIES PROCLAIMED IN CONNECTION WITH TRADE AGREEMENT WITH COLOMBIA

THE WHITE HOUSE,
Washington, April 20, 1936.

The Honorable HENRY MORGENTHAU, Junior,
Secretary of the Treasury.

MY DEAR MR. SECRETARY: The Act to amend the Tariff Act of 1930, approved June 12, 1934, provides in part that the President may suspend the application of duties proclaimed under its authority to articles the growth, produce or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat

the purposes set forth in the Act. Pursuant to this provision of the Act, I hereby direct that the duties proclaimed on this date in connection with the trade agreement signed on September 13, 1935, with Colombia shall be applied only to articles the growth, produce or manufacture of the countries hereinafter designated and to such articles, in the case of each country, respectively, for the period indicated in the numbered section below in which such country is designated.

1. In respect of the products of each country designated in this section, the proclaimed duties shall be applied from the effective date of such duties until thirty days from the date on which you are notified by me that the United States has ceased, or on a day certain will cease, to be bound by provisions of a treaty or agreement providing for most-favored-nation treatment in respect of customs duties.

Denmark
Italy

Portugal and its colonies
and possessions

2. In respect of the products of each country designated in this section, the proclaimed duties shall be applied so long as such duties remain in effect and this direction is not modified in respect of such country.

Afghanistan	Honduras
Albania	Hungary
Andorra	Iceland
Anglo-Egyptian Sudan	India
Arabian Shaikdoms not included under any other designation in this list	Iran (Persia)
Argentina	Iraq
Australia, Commonwealth of, and its mandated territories	Irish Free State
Austria	Italian colonies and possessions
Belgium and its colony and mandated territories	Japanese Empire and mandated territories and Kwantung Leased Territory
Bhutan	Latvia
Bolivia	Liberia
Brazil	Lithuania
Bulgaria	Luxemburg
Canada	Mexico
Chile	Monaco
China	Morocco
Colombia	Nepal
Costa Rica	Netherlands and its colonies
Cuba (subject to the provisions of the trade agreement concluded with Cuba on August 24, 1934)	Newfoundland
Czechoslovakia	New Hebrides
Danzig, Free City of	New Zealand and mandated territories
Dominican Republic	Nicaragua
Ecuador	Norway
Egypt	Oman (Muscat)
El Salvador	Panama
Estonia	Paraguay
Ethiopia (Abyssinia)	Peru
Finland	Poland
French colonies (not named in the penultimate paragraph of this letter), dependencies, protectorates, and mandated territories	Rumania
Great Britain and Northern Ireland, and British colonies, dependencies, protectorates, and mandated territories	San Marino
Greece	Saudi Arabia
Greenland	Siam
Guatemala	Spain and its colonies and possessions.
Haiti	Sweden
	Switzerland and Liechtenstein
	Turkey
	Union of South Africa and mandated territory
	Union of Soviet Socialist Republics
	Uruguay
	Vatican, City of the
	Venezuela
	Yemen
	Yugoslavia

Because I find as a fact that the treatment of American commerce by Germany is discriminatory, I direct that the proclaimed duties shall not be applied to products of Germany.

In respect of the products of France (including Algeria) and its assimilated colonies, namely, Indochina, Madagascar, Réunion, Guadeloupe, Martinique, and Guiana, instructions as to the application of the proclaimed duties will be issued at a later date.

You will please cause this direction to be published in an early issue of the weekly *Treasury Decisions*.

Very sincerely yours.

FRANKLIN D. ROOSEVELT

(F. R. Doc. 403—Filed, April 24, 1936; 12:18 p. m.)

TREASURY DEPARTMENT.

Federal Alcohol Administration.

NOTICE OF HEARING WITH REFERENCE TO PROPOSED AMENDMENTS TO REGULATIONS No 5, RELATING TO LABELING AND ADVERTISING OF DISTILLED SPIRITS

APRIL 22, 1936.

Pursuant to the provisions of Section 5 (e) and (f) of the Federal Alcohol Administration Act, approved August 29, 1935:

Notice is hereby given of a public hearing to be held on Friday, May 15, 1936, at 10:00 a. m., at Mayflower Hotel, Connecticut Avenue and De Sales Street, Washington, D. C., for the purpose of taking evidence with reference to the proposed amendment of Regulations No. 5, Relating to the Labeling and Advertising of Distilled Spirits, in the following respects:

1. *Re-used Coopersage.*—To amend Article I (j) of said regulations in such manner as to authorize the various types of corn whiskey, when stored in re-used cooperage, to be marketed under a label claiming age for the full period of storage.

2. *Gin.*—To amend Section 21, Class 3, of said regulations in such manner as to authorize the use, in the production of gin, of distilled spirits other than neutral spirits.

3. *Brandies.*—To amend Section 21, Class 4, of said regulations in such manner as to authorize brandies to be bottled at less than 80° proof.

4. *Highballs, Cocktails, Gin Fizzes, and Other Prepared Specialties.*—(a) To amend Section 21 of said regulations in such manner as to provide specific standards of identity for highballs, cocktails, gin fizzes, and other prepared specialties, or

(b) To amend Section 34 (b) of said regulations in such manner as to require, in the case of highballs, cocktails, gin fizzes, and other prepared specialties, that the label disclose the class and type of distilled spirits used in the manufacture thereof, and eliminate any requirement that the percentage of such distilled spirits be stated.

5. *Scotch Type Whiskey and Irish Type Whiskey.*—(a) To amend Section 21 of said regulations in such manner as to authorize Blended Scotch Type whiskey and Blended Irish Type whiskey to be produced with the use of neutral spirits; and

(b) To delete the last paragraphs of Section 21 (n) and Section 21 (o), or

(c) To amend said regulations by deleting the provisions of Section 21 (n) and 21 (o) thereof, and substituting in lieu thereof a new standard of identity as follows:

(n) *Smoky whiskey* is a mixture which contains not less than 20% by volume of 100° proof malt whiskey or whiskies distilled at not more than 160° proof from a fermented mash of malted barley dried over peat fire, and not more than 80% by volume of neutral spirits; reduced prior to bottling to not less than 80° and not more than 110° proof.

6. *Private Brands.*—To amend Section 35 (e) of said regulations in such manner as to make it permissible rather than mandatory that spirits bottled under private brand labels bear the name and address of the person for whom bottled.

7. *Domestic Bottling of Imported Distilled Spirits.*—To amend Section 35 of said regulations in such manner as to require that when spirits of foreign origin are bottled in a country other than the country in which produced, the labels thereon indicate such fact.

8. *Use of the Word "Pure."*—(a) To amend said regulations by repealing the provisions of Section 41 (c) and Section 64 (a) (8), or

(b) To amend said regulations in such manner as to authorize the use of the word "pure" as a part of the class and type designation of rye whiskey produced from a mash composed of not less than 80% rye grain.

9. *Fruit "Gins."*—To amend said regulations in such manner as to permit distilled gin, compound gin, and neutral spirits, when flavored with orange, lemon, pineapple, or other fruit flavors to be designated as "orange gin", "lemon gin", "pineapple gin", etc.

10. *General.*—To make such other amendments to said regulations as may be found necessary in the event of the adoption of any of the foregoing proposals.

[SEAL] W. S. ALEXANDER, Administrator.

[F. R. Doc. 405—Filed, April 23, 1936; 4:18 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

[Bulletin No. 1, Revised]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, payments will be made, in connection with the effectuation of the purposes of section 7 (a) of said act for 1936, in accordance with the following provisions of this East Central Region Bulletin No. 1, Revised (which revises and supersedes East Central Region Bulletin No. 1), and such other provisions as may hereafter be made:

PART I. DEFINITIONS

As used herein and in all forms and documents relating to the 1936 Agricultural Conservation Program in the East Central Region, the following terms shall have the following meanings:

Secretary means the Secretary of Agriculture of the United States.

East Central Region means the area included in the States of Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, and Tennessee.

East Central Division means the division of the Agricultural Adjustment Administration in charge of the 1936 Agricultural Conservation Program in the East Central Region.

State Committee, or State Agricultural Conservation Committee, means the group of persons designated for any State to assist in the administration of the 1936 Agricultural Conservation Program in such State.

County Committee or County Agricultural Conservation Committee, means the group of persons designated for any county to assist in the administration of the 1936 Agricultural Conservation Program in such county.

Person means an individual, partnership, association, or corporation.

Owner means a person who owns land which is not rented to another for cash or for a fixed commodity payment, or who rents land from another for cash or for a fixed commodity payment, or who is purchasing land on installments for cash or for a fixed commodity payment.

Operator means a person who as owner or share-tenant is operating a farming unit and is entitled to receive all or a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets part or all of the farming unit to another share-tenant, and both such share-tenants are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed operators.

Share-tenant means a person other than an owner or share-cropper who is operating a farm and is entitled to receive a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets a farm to another person, and both such persons are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed share-tenants.

Share-cropper means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of a crop produced thereon, or the proceeds thereof.

Farming unit means all land which is farmed by an operator in 1936 as a single unit, with workstock, farm machinery, and labor substantially separate from that for any other land.

Farm means all tracts of farm land in the same county under the same ownership, operated as all or part of a single farming unit by the same operator in 1936.

Crop land means all farm land which is tillable and from which at least one crop other than wild hay was harvested between January 1, 1930, and January 1, 1936, and all other farm land which is devoted to orchards or vineyards which had not reached bearing age on January 1, 1936.

Total soil depleting base means the total number of acres established for the farm as the acreage normally used for the production of soil depleting crops.

General soil depleting base means the number of acres established for the farm as the acreage normally used for the production of all soil depleting crops except cotton, tobacco, and peanuts. Such general soil-depleting base shall be the difference between the total soil-depleting base and the sum of any cotton, tobacco, and peanut soil-depleting bases.

Cotton soil depleting base means the number of acres established for the farm as the acreage normally used for the production of cotton.

Tobacco soil depleting base means the number of acres established for the farm as the acreage normally used for the production of tobacco.

Peanut soil depleting base means the number of acres established for the farm as the acreage normally used for the production of peanuts.

Soil conserving payment means a payment for the diversion of acreage from any soil depleting base to the production of soil conserving crops. Such payment is also referred to as Class I payment.

Soil building payment means a payment for the carrying out of such soil building practices as are approved by the Secretary. Such payment is also referred to as Class II payment.

Soil building allowance means the largest amount for any farm that may be obtained as a soil building payment. The soil building allowance for any farm shall be computed by multiplying the number of acres of crop land on the farm used in 1936 for soil-conserving crops by one dollar, except that if such acreage is less than 10 acres the soil building allowance shall be ten dollars. For purposes of computing this allowance the acreage of soil conserving crops shall include the number of acres devoted to winter cover crops and green manure crops, seeded following vegetable crops, including potatoes and sweet potatoes, and plowed or disced under as green manure between January 1, 1936, and October 1, 1936, after having attained at least two months' growth.

PART II. RATES AND CONDITIONS OF PAYMENT

Payments will be made, in connection with the utilization in 1936 of the land on any farm in the East Central Region, in the amounts and subject to the conditions hereinafter set forth:

SECTION 1. Soil Building Payment.—Payment will be made for the carrying out of such soil building practices on crop land or non-crop pasture land in 1936, at such rates in any State, and upon such conditions as are recommended by the State Committee or the Agricultural Adjustment Administration and approved by the Secretary: *Provided*, That the soil building payment with respect to any farm shall not exceed the soil building allowance for such farm.

SECTION 2. Soil-Conserving Payment.—Payment will be made for each acre diverted in 1936 from the general soil depleting base, or the cotton soil depleting base, or the tobacco soil depleting base, or the peanut soil depleting base, to the production of any soil conserving crop, and from which, in 1936, no soil depleting crop is harvested: *Provided*, That changes in the use of any such land which involve the destruction of foods, fibres, or feed grains will not be approved for payment. The amount of any such payment shall be computed as follows:

Soil depleting crop	Payment for each acre of base used in 1936 in the manner specified	Maximum acreage with respect to which payment will be made
(a) All crops in the general soil depleting base.	An average for the United States of \$10 per acre, varying among states, counties, and individual farms as the productivity of the crop land used for these crops varies from the average productivity of all such crop land in the United States. ¹	15 percent of the general soil depleting base.
(b) Cotton	$\frac{5}{8}$ ¢ for each pound of the normal yield per acre of cotton for the farm.	35 percent of the cotton soil depleting base. ²
(c) Tobacco	For each pound of the normal yield per acre of tobacco for the farm at the following rates per pound of specified kinds of tobacco, as follows: (1) $\frac{5}{8}$ ¢ for flue-cured, Burley, or Maryland. (2) $\frac{3}{8}$ ¢ for fire-cured or dark air-cured. (3) $\frac{3}{8}$ ¢ for any other kind of tobacco.	30 percent of the tobacco soil depleting base for each specified kind of tobacco.
(d) Peanuts	$\frac{1}{4}$ ¢ for each pound of the normal yield per acre of peanuts for the farm.	20 percent of the peanut soil depleting base.

¹The rate per acre will vary among the states and counties depending upon the productivity of the crop land devoted to corn, wheat, oats, barley, rye, buckwheat, grain sorghum, soybeans, dry edible beans, sorghum for syrup, broom corn, potatoes, and sweet potatoes. Upon recommendation of the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, the rate per acre for any county determined in the manner described above may be adjusted. In making this adjustment such additional factors will be considered as the Secretary determines will more accurately reflect the productivity of the crop land in the county than would be reflected by the use of the factors mentioned above.

The rate per acre will vary among farms within the county depending upon the productivity of the crop land on the farm as measured by its normal yield of a major soil depleting crop in the county. Where the yield for farms in a county of a major soil depleting crop in such county is not deemed to reflect accurately the productivity of such farms, upon recommendation of the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, a different basis for determining productivity of such farms in the county may be employed.

²The total payment made in any county pursuant to this provision will be made with respect to an acreage not exceeding 25 percent of the aggregate of the cotton soil depleting bases which could be established for all the farms in the county. Upon recommendation of the State Committee, and approval by the Agricultural Adjustment Administration, a group of counties may be considered as a single county in determining the maximum cotton acreage with respect to which payment will be made.

SECTION 3. Adjustment in Rates.—The rates specified in Section 2 are based on an estimate of available funds and an estimate of approximately 80% participation by farmers. If participation in the East Central Region exceeds that estimated for such region, all the rates specified in Section 2 may be reduced pro rata. If participation in the East Central Region is less than the estimate for such region, the rates may be increased pro rata. In no case will the rates be increased or decreased by more than 10%.

SECTION 4. Minimum Acreage of Soil Conserving Crops.—If the total acreage of soil conserving crops on crop land on the farm in 1936 does not equal or exceed an acreage equal to the sum of:

- 15% of the general soil depleting base,
- 30% of the cotton soil depleting base,
- 20% of the tobacco soil depleting base, and
- 20% of the peanut soil depleting base,

for the farm, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to one and one-half times the rate per acre determined for the farm under Section 2 (a) of Part II, multiplied by the number of acres by which the total acreage of soil conserving crops on crop land on the farm in 1936 is less than the acreage specified in this Section 4. In com-

puting any Soil-conserving payment which otherwise would be made, the computation shall be based upon an acreage no larger than the acreage of crop land on the farm used for the production of soil conserving crops in 1936.

SECTION 5. Increase in Acreage of Soil Depleting Crops.—(a) If the total acreage of the crops in the general soil depleting base on any farm in 1936 exceeds the general soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (a) of Part II.

(b) If the acreage of cotton on any farm in 1936 exceeds the cotton soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (b) of Part II.

(c) If the acreage of any kind of tobacco on any farm in 1936 exceeds the tobacco soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (c) of Part II.

(d) If the acreage of peanuts on any farm in 1936 exceeds the peanut soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (d) of Part II.

SECTION 6. Payments restricted to Effectuation of Purposes.—All or any part of any payment which otherwise would be made with respect to any farm may be withheld if any rotation, cropping, or other practices are adopted on the farm, which practices the Secretary determines tend to defeat the purposes of the 1936 Agricultural Conservation Program.

SECTION 7. Food and Feed Crops.—(a) Notwithstanding the provisions of Section 2 of Part II, no payment as therein specified will be made in connection with the shifting of land out of food and feed crops unless such crops have been produced in excess of home consumption needs for the farm. If such crops have been produced on the farm in excess of such needs, payment will be made only with respect to the shifting of all or any part of such excess.

(b) Notwithstanding the provisions of Section 5, of Part II, no deduction will be made with respect to any food or feed crop grown in combination with a soil conserving crop unless such food and feed crops are grown in excess of the home consumption needs for the farm.

PART III. ESTABLISHMENT OF BASES

SECTION 1. Total Soil-Depleting Base.—The County Committee will recommend for approval by the Secretary a total soil-depleting base for each farm which shall represent the acreage normally used for the production of all soil-depleting crops on such farm and shall be determined as indicated hereinafter. The total soil depleting base shall be the acreage of all the soil-depleting crops harvested on the farm in 1935,¹ subject to the following adjustments:

(a) There shall be added to the 1935 acreage of soil depleting crops the number of "rented", "contracted", or "retired" acres under 1935 commodity adjustment programs from which no soil depleting crops were harvested in 1935.

(b) Where, because of unusual weather conditions, the number of acres of soil depleting crops harvested in 1935 was greater or less than the acreage of such crops usually harvested on the farm, such number of acres shall be decreased or increased to an acreage which is comparable to the acreage of such crops harvested on such farm under normal conditions in past years.

(c) Where the 1935 acreage of soil depleting crops for any farm, adjusted, if necessary, as heretofore indicated, is materially greater or less than the 1935 acreage of soil depleting

¹Where more than one soil-depleting crop was harvested from the same land in 1935, such acreage shall be counted only once.

crops on farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a total soil depleting base for such farm which is equitable, as compared with the total soil-depleting bases for such other similar farms.

(d) For each county, a ratio of the total acreage in soil depleting crops, either to all farm land or to all crop land, will be established by the Agricultural Adjustment Administration from available statistics; such ratio to be referred to as the county limit. The ratio of the aggregate of the total soil depleting bases established in a county to all the farm land or to all crop land in the farms for which such bases are established shall not exceed the county limit for such county unless a variance therefrom is recommended by the State Committee and approved by the Agricultural Adjustment Administration.

SECTION 2. General Soil Depleting Base.—The general soil depleting base for any farm shall represent for such farm the acreage normally used for the production of all soil depleting crops, except cotton, tobacco, and peanuts. The general soil depleting base for any farm shall be the difference between the total soil depleting base and the sum of any cotton, tobacco, and peanut soil depleting bases for such farm.

SECTION 3. Cotton Soil Depleting Base, Tobacco Soil Depleting Base, and Peanut Soil Depleting Base.—The County Committee may recommend for approval by the Secretary, as part of the total soil depleting base, a cotton soil depleting base, a tobacco soil depleting base, or a peanut soil depleting base for any farm. Any such base or bases shall be equal to the acreages which were established for such farm under the procedure for adjustment programs for 1936, or which could have been established under such procedure, subject to the following adjustments:

(a) If, under the procedure for adjustment programs for 1936, the sum of the acreages for cotton, tobacco, and peanuts for any farm exceeds the annual average of the total acreage of such crops harvested in a representative period preceding 1934, such acreages shall be adjusted downward to eliminate such excess.

(b) Where the cotton, tobacco, and peanut acreage for any farm, respectively, determined as heretofore indicated, is materially greater or less than the acreage of cotton, tobacco, and peanuts, respectively, determined for farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a cotton soil depleting base, a tobacco soil depleting base, and a peanut soil depleting base, respectively, which are equitable as compared with such bases for such other similar farms.

(c) Upon request by the operator of any farm a soil depleting base for cotton, tobacco, and peanuts, respectively, smaller than those determined for cotton, tobacco, and peanuts, respectively, as heretofore indicated may be recommended for such farm by the County Committee.

(d) The sum of the cotton soil depleting bases, and of the tobacco soil depleting bases, and of the peanut soil depleting bases, respectively, for the farms in any county or other specified area, shall not exceed an acreage for cotton, for tobacco, and for peanuts, respectively, established for such county or other specified area by the Agricultural Adjustment Administration.

SECTION 4. Appeals.—Any person who has reason to believe that any base recommended for his farm is not equitable may request the County Agricultural Conservation Committee to reconsider its recommendation. If no agreement is reached between such person and such committee, an appeal may be taken in accordance with such rules as may be prescribed by the Secretary.

PART IV. CLASSIFICATION OF CROPS

Farm land when devoted to the crops and uses indicated hereinafter shall be classified in the manner set forth hereinafter, except for such additions or modifications as may be recommended by the State Committee or the Agricultural Adjustment Administration and approved by the Secretary. If any acreage on the farm is used for the production of interplanted crops, the actual acreage of each interplanted

crop shall be classified in accordance with the following classification.

SECTION 1. Soil Depleting Crops.—Land devoted to any of the following crops shall be regarded as used for the production of a soil depleting crop for the year in which such crop is harvested:

- (a) Corn (field, sweet, broom, and popcorn).
- (b) Cotton.
- (c) Tobacco.
- (d) Potatoes.
- (e) Sweetpotatoes.
- (f) Truck and vegetable crops, including melons and strawberries.
- (g) Peanuts, harvested as nuts.
- (h) Sweet sorghums.
- (i) Small grains, wheat, oats, barley, rye, buckwheat, and grain mixtures, harvested for grain or hay. (Except when used as a winter cover crop as provided in Section 2, Soil Conserving Crops).
- (j) Annual grasses, Sudan, and millets, harvested for hay or seed.
- (k) Summer legumes, soybeans, field peas, and cowpeas (except in Virginia, North Carolina, and Tennessee) harvested for grain or hay.

SECTION 2. Soil Conserving Corps.—Land devoted to any of the following crops shall be regarded as used for the production of a soil conserving crop, except that any land from which a soil depleting crop is harvested in the same year shall be regarded as having been used for the production of a soil depleting crop in such year, unless otherwise provided:

- (a) *Biennial and perennial legumes.*—Sweet, red, alsike, and Mammoth clovers; alfalfa, kudzu, sericea, and white clover; with or without such nurse crops as rye, oats, barley, wheat, or grain mixtures, when such nurse crops are clipped green or are pastured sufficiently to prevent grain formation.
- (b) *Annual winter legumes and Lespedeza.*—Vetch, winter peas, bur, and crimson clover; annual varieties of Lespedeza; with or without such nurse crops as rye, oats, barley, wheat, or grain mixtures, when such nurse crops are clipped green or are pastured sufficiently to prevent grain formation.
- (c) *Summer legumes.*—Soybeans (except when harvested for seed for crushing), velvet beans, and cowpeas, in Virginia, North Carolina, and Tennessee; in all states when turned under as green manure; also crotalaria.
- (d) *Peanuts,* when pastured.
- (e) *Annual grasses.*—Sudan, millets, and Italian ryegrass, not harvested for hay or seed.
- (f) *Perennial grasses.*—Bluegrass, Dallis, redtop, timothy, orchard grass, Bermuda, carpet grass, and mixtures of these, with or without such nurse crops as rye, oats, barley, wheat, or grain mixtures, when such nurse crops are clipped green or are pastured sufficiently to prevent grain formation.
- (g) *Winter cover crops.*—Rye, oats, barley, and grain mixtures, winter pastured or not, turned under as green manure; or harvested and immediately followed by or grown in combination with a legume.
- (h) *Forest trees,* planted on crop land since Jan. 1, 1934.

SECTION 3. Neutral Uses.—Land devoted to the following uses shall be regarded as not used for the production of a soil depleting crop or a soil conserving crop, unless otherwise provided:

- (a) Vineyards, tree fruits, small fruits, and nut trees, not interplanted (any portion of the area which is interplanted shall carry the classification and actual acreage of the intercrop).
- (b) Idle crop land.
- (c) Cultivated fallow land.
- (d) Waste land, roads, lanes, lots, yards, and other similar non-crop land.
- (e) Woodland other than crop land planted to forest trees since January 1, 1934.

PART V. MISCELLANEOUS PROVISIONS

SECTION 1. Land to be Covered by Work Sheet.—(a) Where one or more farms in the same county are under the same ownership and are operated in 1936 as part or all of a single

farming unit by the same operator, such farm or farms shall be covered by one work sheet.

(b) Where two or more farms in the same county are under different ownerships, even though they are operated in 1936 as part or all of a single farming unit by the same operator, each separately owned farm shall be covered by a separate work sheet.

(c) Where two or more farms in the same county are under the same ownership and are operated in 1936 as separate farming units, each separately operated farm shall be covered by a separate work sheet.

(d) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit used for hay, meadow, pasture, or other similar uses is rented for cash from the same landlord, it will not be necessary to execute more than one work sheet for both such share-rented and such cash-rented land.

(e) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit not used for hay, meadow, pasture, or other similar uses is rented for cash from the same or a different landlord, it will be necessary to execute a work sheet for such share-rented land and a separate work sheet for such cash-rented land.

(f) For purposes of execution of the work sheet, a farm consisting of adjacent tracts under the same ownership, located in two or more counties and operated in 1936 as a part or all of a single farming unit by the same operator shall be regarded located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, as located in the county in which the major portion of such farm is located.

(g) Included herein is a copy of the Work Sheet, Form ECR-1, prepared by the East Central Division for use in connection with the establishment of soil depleting bases for farms in the East Central Region. Work sheets are to be prepared in triplicate, one copy to be filed in the State office, one copy to be filed in the County office, and one copy to be returned to the producer.

Form ECR-1

U. S. Department of Agriculture
Agricultural Adjustment Administration
March 1936

State and county code and work sheet serial number.....

1936 SOIL CONSERVATION PROGRAM

WORK SHEET—EAST CENTRAL REGION

SECTION I.—Utilization of Land.

Crop or land use (a)	A. A. A. contract base		Harvested 1935 Acres (d)	Adjusted Acres (e)
	Acres (b)	Yield (c)		
1. Cotton.....				
2. Peanuts.....				
3. Tobacco—Kind.....				
4. Subtotal (1-3).....				
5. Corn (a) without legume.....				
6. Wheat.....				
7. Oats.....				
8. Potatoes (Irish and sweet).....				
9. Sweet sorghums.....				
10.....				
11.....				
12.....				
13.....				
14. Truck and vegetable crops.....				
15. Subtotal (5-14).....				
16. Lespedeza on crop land.....				
17. Bluegrass on crop land.....				
18. Soybeans (a) separate.....				
19.....				
20.....				
21.....				
22.....				
23.....				
24.....				
25.....				

SECTION I.—Utilization of Land—Continued.

Crop or land use (a)	A. A. A. contract base		Harvested 1935 Acres (d)	Adjusted Acres (e)
	Acres (b)	Yield (c)		
26. Orchards and vineyards (a).....				
27. SUBTOTAL (16-25).....				
28. TOTAL CROP ACREAGE.....				
29. Buildings, roads, lanes, etc.....				
30. Woods not pastured, waste, etc.....				
31. Woods pastured.....				
32. Open pasture (noncrop land).....				
33. Wild or marsh hay.....				
34. TOTAL ALL LAND.....				

SECTION II. Yield per acre principal soil-depleting crop other than cotton, tobacco, or peanuts:

(Name of crop) (Yield)

SECTION III. (Name of 1936 operator)

(Address)

(Name of owner, if other than operator)

(Address)

hereby submits information with respect to the land described below for consideration by the County Agricultural Conservation Association. Nothing contained herein shall place any obligation upon any person.

Date, 1936.

(Signature of operator or owner)

SECTION IV. This land is known as the farm and is located from

(Miles and direction)

(City or town)

(Road)

in (Township, district, or precinct)

SECTION V. Number of other farms owned or operated in this county:

By owner; by operator

SECTION VI. Record references (Cotton) (B. A.)

(Tobacco)

(Peanuts)

SECTION VII.—Base Acreage and Yield.

Preliminary revision	County committee adjusted		Maximum acreage for which soil conserv- ing pay- ment can be made	Acreage which can be planted with maxi- mum diver- sion
	Acres (a)	Yield (b)	Acres (c)	Yield (d)
1. Cotton.....				
2. Peanuts.....				
3. Tobacco.....				
4. Other soil-depleting crops.....	xxx	xxx	xxx	xxx
5. All soil-depleting crops.....	xxx	xxx	xxx	xxx

SECTION VIII. (Name of person assisting in filling out work sheet)

Reviewed by (County committee)

SECTION 2. Application and Eligibility for Grant.—(a) Grants will only be made upon application filed with the county committee. Each person applying for a grant will be required to show that work sheets have been executed covering all land in the county owned or operated by him and the extent to which the conditions upon which the

grant is to be made have been met. Any person applying for a grant who owns or operates land in more than one county in the same State may be required to file in the office of the State Committee a list of all such land.

(b) An application for a grant may be made by: (1) An owner operating his farm; (2) a share-tenant operating a farm rented by him on shares; (3) an owner who has rented a farm to another on shares; (4) such other persons as may be designated by the Secretary.

(c) For the purpose of determining the eligibility of an operator for a grant where the farming unit operated by him includes a farm located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farming unit is located, or, if there is no dwelling on such farming unit, such farm shall be regarded as located in the county in which the major portion of such farm is located.

(d) The eligibility of a person for a grant in a county shall, subject to the provisions of Section 4 below, be determined by (1) the performance on all farms in the county (or regarded as being in the county) owned and operated by him; (2) the performance on all farms in the county (or regarded as being in the county) operated by him and rented on shares from another; (3) the performance on all farms in the county owned by him and rented on shares to another.

SECTION 3. Division of Payments.—(a) Class I Payment: The Class I or soil conserving payment with respect to any farm shall be divided as follows:

(1) 16½ percent to the producer² who furnished the land.

(2) 16½ percent to the producer² who furnished the workstock and equipment.

(3) 66½ percent to be divided among the producers² who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in 1936 in those soil depleting crops, or the proceeds thereof, with respect to which the soil conserving payment is made.

(b) Class II Payment: The Class II or soil building payment with respect to any farm shall be made to the eligible producer² who the County Committee determines under instructions issued by the Secretary has incurred the expenses in 1936 for the soil building practice or practices with respect to which such payment is made; where two or more producers are thus determined by the County Committee to have incurred the expenses in 1936 for such soil building practice or practices for the farm, the Class II payment shall be divided equally among them. Upon the recommendation of the State Committee, or of the Agricultural Adjustment Administration, and the approval of the Secretary, a different basis for dividing the Class I and Class II payments may be employed.

(c) Computation of Any Share of Class I or Class II Payments: Any share of Class I or Class II payments shall be computed without regard to questions of title under State law, without deductions of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of the owner or any other creditor.

(c) If the Secretary, upon the basis of an investigation by the State Committee, finds that any person has for 1936 made any change from the 1935 leasing or cropping arrangement for the farm, for the purpose of, or which would have the effect of, diverting to such person any payment to which tenants or share-croppers would be entitled if the 1935 leasing or cropping arrangement were in effect for 1936, the amount of any payment which would otherwise be made to such person may be withheld in whole or in part.

SECTION 4. Multiple Farm Holdings.—If any person who has made an application for a grant with respect to any farm has an interest, as owner or share tenant, in another farm on which the acreage used for the production of soil depleting crops in 1936 exceeds the acreage normally used for the production of such crops on such other farm, the payment to be made to such person may, in the discretion of the Secretary, be computed either in accordance with the

procedure set forth in Sections 5, 6, and 7 below, or in accordance with such procedure as applied to all the farms owned or operated by such person in any State.

SECTION 5. Amount of Soil Conserving Payment Where Two or More Farms are Owned or Operated in One County.—If a person owns or operates more than one farm in a county the amount of soil conserving payment to such person shall, subject to the provisions of Section 4 above, be computed as follows:

(a) For each such farm in the county: (1) multiply the number of acres diverted from the general soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) multiply the number of acres diverted from the cotton soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (3) multiply the number of acres diverted from the tobacco soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (c) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (4) multiply the number of acres diverted from the peanut soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (d) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (5) add the amounts thus obtained for all such farms.

(b) For each such farm in the country on which there has been: (1) an increase in the total acreage of the crops in the general soil depleting base over the general soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) an increase in the acreage of cotton over the cotton soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (3) an increase in the acreage of tobacco over the tobacco soil-depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (c) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (4) an increase in the acreage of peanuts over the peanut soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (d) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (5) add the amounts thus obtained for all such farms.

(c) The amount by which the total obtained under subsection (a) of this Section 5 exceeds the total obtained under subsection (b) of this Section 5 shall be the amount of soil conserving payment: *Provided*, That, (1) the total amount of Class I or soil conserving payment to any person for diversion from general soil depleting bases to soil conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part V) of the maximum soil conserving payment as specified in Section 2 (a) of Part II for each such farm in the county; (2) the total amount of soil conserving payment to any person for diversion from cotton, tobacco, and peanut soil depleting bases, respectively, to soil conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part V) of the maximum soil conserving payments with respect to cotton, tobacco, and

² Producer as used in this Section 3 includes any person who is an owner, share-tenant, or share-cropper.

peanuts, respectively, as specified in Sections 2 (b), 2 (c), and 2 (d), respectively, of Part II, for each such farm in the county.

(d) If the total obtained under subsection (b) is greater than the total obtained under subsection (a), the difference shall be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in the county by such person in 1936.

SECTION 6. Amount of Soil Building Payment Where Two or More Farms are Owned or Operated in One County.—If a person owns or operates more than one farm in a county the amount of soil building payment to such person shall, subject to the provisions of Section 4 above, be computed as follows:

(a) For each such farm in the county (1) multiply the number of acres devoted to each approved soil building practice by the rate specified for such practice and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) add the amounts thus obtained for all such farms.

(b) For each such farm in the county (1) ascertain the amount of any Class II or soil building payment which any other person may be entitled to receive with respect to any approved soil building practice upon such farm pursuant to the provisions of Section 3 of Part V; (2) subtract the resulting amount from the soil building allowance for such farm; (3) credit the remainder to the owner of such farm if such owner has made application for a grant in the county, and, if such owner has not made application for a grant in the county, credit the remainder to the operator of such farm; (4) add the amounts thus credited to the person whose total soil building payment is being computed.

(c) The amount of soil building payment shall be the total obtained under subsection (a) of this Section 6, not in excess of the total obtained under subsection (b) of this Section 6.

SECTION 7. Deduction for Failure to Have Minimum Acreage of Soil Conserving Crops Where Two or More Farms Are Owned or Operated in One County.—If the total acreage of soil conserving crops on all farms owned or operated by any person in the county in 1936 does not equal or exceed the minimum acreage of soil conserving crops as provided in Section 4 of Part II, there shall, subject to the provisions of Section 4, Part V, be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in such county an amount computed as follows:

(a) Ascertain the additional number of acres necessary to reach an acreage equal to the total minimum acreage of soil conserving crops for all such farms in the county, by subtracting from the number of acres representing the total minimum acreage of soil conserving crops for such farms the total number of acres of soil conserving crops actually on such farms.

(b) Multiply the number of acres ascertained in subsection (a) above by an amount equal to one and one-half times the rate per acre applicable to the farm having the highest rate determined pursuant to the provisions of Section 2 (a) of Part II.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 15 day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 404—Filed, April 23, 1936; 12:45 p. m.]

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST
REGION

[Bulletin No. 1, Revised]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, payments will be made, in connection

with the effectuation of the purposes of Section 7 (a) of said Act for 1936, in accordance with the following provisions of this Northeast Region Bulletin No. 1 Revised (which revises and supersedes Northeast Region Bulletin No. 1), and such other provisions as may hereafter be made.

PART I. DEFINITIONS

As used herein and in all forms and documents relating to the 1936 Agricultural Conservation Program in the Northeast Region, the following terms shall have the following meanings:

Secretary means the Secretary of Agriculture of the United States.

Northeast region means the area included in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

Northeast division means the division of the Agricultural Adjustment Administration in charge of the 1936 Agricultural Conservation Program in the Northeast Region.

State committee or State agricultural conservation committee means the group of persons designated for a State to assist in the administration of the 1936 Agricultural Conservation Program in such State.

County committee or county agricultural conservation committee means the group of persons designated for a county to assist in the administration of the 1936 Agricultural Conservation Program in such county.

Person means an individual, partnership, association, or corporation.

Owner means a person who owns land which is not rented to another for cash or for a fixed commodity payment, or who rents land from another for cash or for a fixed commodity payment, or who is purchasing land on installments for cash or for a fixed commodity payment.

Operator means a person who as owner or share-tenant is operating a farming unit and is entitled to receive all or a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets part or all of the farming unit to another share-tenant, and both such share-tenants are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed operators.

Share-tenant means a person other than an owner or share-cropper who is operating a farm and is entitled to receive a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets a farm to another person, and both such persons are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed share-tenants.

Share-cropper means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of a crop produced thereon, or the proceeds thereof.

Farming unit means all land which is farmed by an operator in 1936 as a single unit, with workstock, farm machinery, and labor substantially separate from that for any other land.

Farm means all tracts of farm land in the same county under the same ownership, operated as all or part of a single farming unit by the same operator in 1936.

Crop land means all farm land which is tillable and from which at least one crop other than wild hay was harvested between January 1, 1930, and January 1, 1936, and all other farm land which is devoted to orchards or vineyards which had not reached bearing age on January 1, 1936.

Total soil depleting base means the total number of acres established for the farm as the acreage normally used for the production of soil depleting crops.

General soil depleting base means the number of acres established for the farm as the acreage normally used for the production of all soil depleting crops except tobacco. Such general soil-depleting base shall be the difference between the total soil-depleting base and the tobacco soil-depleting base.

Tobacco soil depleting base means the number of acres established for the farm as the acreage normally used for the production of tobacco.

Soil conserving payment means a payment for the diversion of acreage from any soil depleting base to the production of soil conserving crops. Such payment is also referred to as Class I payment.

Soil building payment means a payment for the carrying out of such soil building practices as are approved by the Secretary. Such payment is also referred to as Class II payment.

Soil building allowance means the largest amount for any farm that may be obtained as a soil building payment. The soil building allowance for any farm shall be computed by multiplying the number of acres of crop land on the farm used in 1936 for soil conserving crops by one dollar, except that if such acreage is less than 10 acres the soil building allowance shall be ten dollars. For purposes of computing this allowance the acreage of soil conserving crops shall include the number of acres devoted to winter cover crops and green manure crops, seeded following vegetable crops, including potatoes and sweet potatoes, and plowed or disced under as green manure between January 1, 1936, and October 1, 1936, after having attained at least two months' growth.

PART II. RATES AND CONDITIONS OF PAYMENT

Payments will be made, in connection with the utilization in 1936 of the land on any farm in the Northeast Region, in the amounts and subject to the conditions hereinafter set forth:

SECTION 1. Soil Building Payment.—Payment will be made for the carrying out of such soil building practices on crop land or non-crop pasture land in 1936, at such rates in any State, and upon such conditions as are recommended by the State Committee or the Agricultural Adjustment Administration and approved by the Secretary. *Provided*, That the soil building payment with respect to any farm shall not exceed the soil building allowance for such farm.

SECTION 2. Soil Conserving Payment.—Payment will be made for each acre diverted in 1936 from the general soil depleting base, or the tobacco soil depleting base, to the production of any soil conserving crop, and from which, in 1936, no soil depleting crop is harvested: *Provided*, That changes in the use of such land which involve the destruction of foods, fibres, or feed grains, will not be approved for payment. The amount of any such payment shall be computed as follows:

Soil depleting crop	Payment for each acre of the base used in 1936 in the manner specified	Maximum acreage with respect to which payment will be made
(a) Crops in the general soil depleting base.	An average for the United States of \$10 per acre, varying among States, counties, and individual farms, as the productivity of the crop land used for these crops varies from the average productivity of all such crop land in the United States.	15 percent of the general soil depleting base.
(b) Tobacco.	For each pound of the normal yield per acre of tobacco for the farm at the following rates per pound of specified kinds of tobacco, as follows: (1) 4¢ for Connecticut Valley types 51 and 52; (2) 3¢ for any other kind of tobacco.	30 percent of the tobacco soil depleting base for each specified kind of tobacco.

¹The rate per acre will vary among the states and counties depending upon the productivity of the crop land devoted to corn, wheat, oats, barley, rye, buckwheat, grain sorghum, soybeans, dry edible beans, sorghum for syrup, broomcorn, potatoes, and sweet potatoes. Upon the recommendation of the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, the rate per acre for any county determined in the manner described above may be adjusted. In making this adjustment such additional factors will be considered as the Secretary determines will more accurately reflect the productivity of the crop land in the county than would be reflected by the use of the factors mentioned above. The rate per acre will vary among farms within the county depending upon the productivity of the crop land on the farm as measured by its normal yield of a major soil depleting crop in the county. Where the yield for farms in a county of a major soil depleting crop in such county is not deemed to reflect accurately the productivity of such farms, upon recommendation of the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, a different basis for determining productivity of such farms in the county may be employed.

SECTION 3. Adjustment in Rates.—The rates specified in Section 2 are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers. If participation in the Northeast Region exceeds that estimated for such region, all the rates specified in Section 2 for such region may be reduced pro rata. If participation in the Northeast Region is less than the estimate for such region, the rates may be increased pro rata. In no case will the rates be increased or decreased by more than 10 percent.

SECTION 4. Minimum Acreage of Soil Conserving Crops.—If the total acreage of soil conserving crops on crop land on the farm in 1936 does not equal or exceed an acreage equal to the sum of 15 percent of the general soil depleting base and 20 percent of the tobacco soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm, in an amount equal to one and one-half times the rate per acre determined for the farm under Section 2 (a) of Part II, multiplied by the number of acres by which the total acreage of soil conserving crops on crop land on the farm in 1936 is less than the acreage specified in this section 4. In computing any soil conserving payment which otherwise would be made, the computation shall be based upon an acreage no larger than the acreage of crop land on the farm used for the production of soil conserving crops in 1936.

SECTION 5. Increase in Acreage of Soil Depleting Crops.—(a) If the total acreage of the crops in the general soil depleting base on any farm in 1936 exceeds the general soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (a) of Part II.

(b) If the acreage of any kind of tobacco on any farm in 1936 exceeds the tobacco soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (b) of part II.

SECTION 6. Payments Restricted to Effectuation of Purposes.—All or any part of any payment which otherwise would be made with respect to any farm may be withheld if any rotation, cropping, or other practices are adopted on the farm, which practices the Secretary determines will tend to defeat the purposes of the 1936 Agricultural Conservation Program.

PART III. ESTABLISHMENT OF BASES

SECTION 1. Total Soil Depleting Base.—The County Committee will recommend for approval by the Secretary a total soil depleting base for each farm, which shall represent the acreage normally used for the production of all soil depleting crops on such farm, and shall be determined as hereinafter indicated. The total soil depleting base shall be the acreage of all the soil depleting crops harvested in 1935¹ subject to the following adjustments:

(a) There shall be added to the 1935 acreage of soil depleting crops the number of "rented" "contracted", or "retired" acres under 1935 commodity adjustment programs from which no soil depleting crops were harvested in 1935.

(b) Where, because of unusual weather conditions, the number of acres of soil depleting crops harvested in 1935 was greater or less than the acreage of such crops usually harvested on the farm, such number of acres shall be decreased or increased to an acreage which is comparable to the acreage of such crops harvested on such farm under normal conditions in past years.

(c) Where the 1935 acreage of soil depleting crops for any farm, adjusted, if necessary, as heretofore indicated, is materially greater or less than the 1935 acreage of soil depleting crops on farms in the same community which are similar with respect to size, type of soil, topography production fa-

¹Where more than one soil depleting crop was harvested from the same land in 1935, such acreage shall be counted only once.

cilities, and farming practices, such adjustment shall be made as will result in a total soil depleting base for such farm which is equitable, as compared with the total soil depleting bases for such other similar farms.

(d) For each county, a ratio of the total acreage in soil depleting crops to all farm land, or to all crop land, will be established by the Agricultural Adjustment Administration from available statistics, such ratio to be referred to as the county limit. The ratio of the aggregate of the total soil depleting bases established in a county to all the farm land, or to all the crop land, in the farms for which such bases are established shall not exceed the county limit for such county unless a variance therefrom is recommended by the State Committee and approved by the Agricultural Adjustment Administration.

SECTION 2. General Soil Depleting Base.—The general soil depleting base for any farm shall represent for such farm the acreage normally used for the production of all soil depleting crops except tobacco. The general soil depleting base for any farm shall be the difference between the total soil depleting base and the tobacco soil depleting base for such farm.

SECTION 3. Tobacco Soil Depleting Base.—The County Committee may recommend for approval by the Secretary, as part of the total soil depleting base, a tobacco soil depleting base. Any such base shall be equal to the tobacco acreage which was established for such farm under the procedure for adjustment programs for 1936, or which could have been established under such procedure, subject to the following adjustments:

(a) Where the tobacco acreage determined as heretofore indicated, for any farm, differs materially from the acreage of tobacco, determined for farms located in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, adjustments shall be made which will result in a tobacco soil depleting base which is equitable as compared with such bases for such other similar farms.

(b) Upon request by the operator of any farm, a tobacco soil depleting base, smaller than that determined as heretofore indicated, may be recommended for such farm by the County Committee.

(c) The sum of the tobacco soil depleting bases for the farms in any county or other specified area shall not exceed an acreage for tobacco established for such county or other specified area by the Agricultural Adjustment Administration.

SECTION 4. Appeals.—Any person who has reason to believe that any base recommended for his farm is not equitable, may request the County Committee to reconsider its recommendation. If no agreement is reached between such person and such Committee, an appeal may be taken in accordance with such rules as may be prescribed by the Secretary.

PART IV. CLASSIFICATION OF CROPS

Farm land when devoted to the crops and uses indicated hereinafter shall be classified as follows, except for such additions or modifications as may be recommended by the State Committee or the Agricultural Adjustment Administration and approved by the Secretary. If any acreage on the farm is used for the production of interplanted crops, the actual acreage of each interplanted crop shall be classified in accordance with the following classification.

SECTION 1. Soil Depleting Crops.—Land devoted to any of the following crops shall be regarded as used for the production of a soil depleting crop for the year in which such crop is harvested:

- (a) Corn.
- (b) Tobacco.
- (c) Potatoes.
- (d) Sweet potatoes.
- (e) Truck and vegetable crops, including melons and strawberries.
- (f) Grain sorghums and sweet sorghums.

(g) Small grains: wheat, oats, barley, rye, buckwheat, and grain mixtures, harvested for grain or hay or pastured (except when used as green manure or nurse crops as provided in Section 2).

(h) Annual grasses: Sudan, millets, and Italian ryegrass, harvested for hay or seed.

(i) Annual legumes: soybeans, field beans, cowpeas, and field peas, harvested for grain or hay.

SECTION 2. Soil Conserving Crops.—Land devoted to any of the following crops shall be regarded as used for the production of a soil conserving crop, except that any land from which a soil depleting crop is harvested in the same year shall be regarded as having been used for the production of a soil depleting crop in such year, unless otherwise provided:

(a) *Small grains.*—Rye, barley, oats, and grain mixtures, winter pastured or not, and turned under as green manure crops.

(b) *Annual grasses.*—Sudan, millets, and Italian ryegrass, turned under as green manure crops, pastured, or left on the land.

(c) *Perennial grasses.*—Kentucky bluegrass, Canada bluegrass, timothy, rough stalked meadow grass, perennial ryegrass, orchard grass, redtop, and mixtures of these, without a nurse crop or with oats, barley, or grain mixtures as a nurse crop which is cut green or pastured sufficiently to prevent grain formation.

(d) *Annual legumes.*—Vetch, winter peas, annual sweet clover, crimson clover, and annual lespedeza, without a nurse crop or with oats, barley, or grain mixtures as a nurse crop which is cut green or pastured sufficiently to prevent grain formation; soybeans, field peas, field beans, and cowpeas, when turned under as green manure crops.

(e) *Biennial legumes.*—Sweet, red, alsike, and mammoth clovers, and mixtures seeded with at least 40 percent of these by weight, without a nurse crop or with oats, barley, or grain mixtures as a nurse crop.

(f) *Perennial legumes.*—Alfalfa, white clover, and mixtures seeded with at least 40 percent of these by weight, without a nurse crop or with oats, barley, or grain mixtures as a nurse crop.

(g) *Forest trees.*—Forest trees planted on crop land since January 1, 1934.

SECTION 3. Neutral Uses.—Land devoted to the following uses shall be regarded as not used for the production of a soil depleting crop or a soil conserving crop, unless otherwise provided:

(a) Vineyards, tree fruits, small fruits, and nut trees, not interplanted (if interplanted, the actual interplanted acreage shall be classified according to the interplanted crop).

(b) Idle crop land.

(c) Cultivated fallow land.

(d) Wasteland, roads, lanes, lots, yards, and other similar non-crop land.

(e) Woodland other than crop land planted to forest trees since January 1, 1934.

PART V. MISCELLANEOUS PROVISIONS

SECTION 1. Land to be Covered by Work Sheet.—(a) Where one or more farms in the same county are under the same ownership and are operated in 1936 as part or all of a single farming unit by the same operator, such farm or farms shall be covered by one work sheet.

(b) Where two or more farms in the same county are under different ownerships, even though they are operated in 1936 as part or all of a single farming unit by the same operator, each separately owned farm shall be covered by a separate work sheet.

(c) Where two or more farms in the same county are under the same ownership and are operated in 1936 as separate farming units, each separately operated farm shall be covered by a separate work sheet.

(d) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit used for hay, meadow, pasture, or other similar uses is rented for cash from the same landlord, it will not

be necessary to execute more than one work sheet for both such share-rented and such cash-rented land.

(e) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit not used for hay meadow, pasture, or other similar uses is rented for cash from the same or a different landlord, it will be necessary to execute a work sheet for such share-rented land and a separate work sheet for such cash-rented land.

(f) For purposes of execution of the work sheet, a farm consisting of adjacent tracts under the same ownership, located in two or more counties, and operated in 1936 as part or all of a single farming unit by the same operator, shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, as located in the county in which the major portion of such farm is located.

(g) The attached Work Sheet, Form NER-1, is to be used in the Northeast Region.

Form NER-1
U. S. Department of Agriculture
Agricultural Adjustment Administration
March 1936

State and county code and work sheet serial number

1936 SOIL CONSERVATION PROGRAM

WORK SHEET—NORTHEAST REGION

SECTION I. Utilization of Land.

Crop or land use		Har- vested 1935	Ad- justed	
(a)	A. A. A. con- tract base			
	Acres (b)	Yield (c)	Acres (d)	Acres (e)
1. Tobacco—Kind				
2. Corn for all purposes				
3. Wheat				
4. Oats				
5. Barley				
6. Rye				
7. Buckwheat				
8. Potatoes (Irish and sweet)				
9. Sweet sorghums				
10.				
11.				
12.				
13.				
14. Truck and vegetable crops				
15. Subtotal (1-14)				
16. Clover and timothy hay				
17. Alfalfa hay				
18. Other tame hay				
19.				
20.				
21.				
22.				
23.				
24.				
25.				
26. Orchards and vineyards	(c) (b)			
27. Subtotal (16-26)				
28. Total crop acreage				
29. Buildings, roads, lanes, etc.				
30. Woods not pastured, waste, etc.				
31. Woods pastured				
32. Open pasture (noncrop land)				
33. Wild or marsh hay				
34. Total all land				

SECTION II. Yield per acre principal soil-depleting crop other than tobacco:

(Name of Crop) (Yield)

SECTION III. (Name of 1936 operator)

(Address)

(Name of owner, if other than operator)

(Address)

hereby submits information with respect to the land described below for consideration by the County Agricultural Conservation Association. Nothing contained herein shall place any obligation upon any person.

Date _____, 1936.

(Signature of owner or operator)

SECTION IV. This land is known as the _____ farm and is located _____ from _____ (Miles and direction) _____ (City or town) on _____ in _____ (Road) _____ (Township, district, or precinct)

SECTION V. Number of other farms owned or operated in this county _____ by owner _____ by operator _____

SECTION VI. Base Acreage and Yield.

	Preliminary revision		County Committee adjusted		Maxi- mum acreage for which soil-con- serving payment can be made	Acreage which can be planted with max- imum diversion
	Acres (a)	Yield (b)	Acres (c)	Yield (d)	Acres (e)	Acres (f)
1. Tobacco						
2. Other soil-depleting crops		XXX		XXX		
3. All soil-depleting crops		XXX		XXX	XXX	XXX

SECTION VII.

(Name of person assisting in filling out work sheet)

Reviewed by _____ (County Committee)

SECTION 2. Application and Eligibility for Grant.—(a) Grants will only be made upon application filed with the County Committee. Each person applying for a grant will be required to show that work sheets have been executed covering all land in the county owned or operated by him and the extent to which the conditions upon which the grant is to be made have been met. Any person applying for a grant who owns or operates land in more than one county in the same State may be required to file in the office of the State Committee a list of all such land.

(b) An application for a grant may be made by (1) An owner operating his farm; (2) a share-tenant operating a farm rented by him on shares; (3) an owner who has rented a farm to another on shares; (4) such other persons as may be designated by the Secretary.

(c) For the purpose of determining the eligibility of an operator for a grant where the farming unit operated by him includes a farm located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farming unit is located, or, if there is no dwelling on such farming unit, such farm shall be regarded as located in the county in which the major portion of such farm is located.

(d) The eligibility of a person for a grant in a county shall, subject to the provisions of Section 4, below, be determined by (1) the performance on all farms in the county (or regarded as being in the county) owned and operated by him; (2) the performance on all farms in the county (or regarded as being in the county) operated by him and rented on shares from another; (3) the performance on all farms in the county owned by him and rented on shares to another.

SECTION 3. Division of Payments.—(a) The soil conserving payment shall be divided among owners, share-tenants, and share-croppers, in the same proportion as the principal soil depleting crop or the proceeds thereof are divided under their lease or operating agreement. Upon recommendation by the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, a different basis for dividing the soil conserving payment may be employed. The term, "principal soil depleting crop" as used herein, means the soil depleting crop to which the greatest number of acres on the farm is devoted. If there is no soil depleting

crop which has a larger acreage than any other soil depleting crop on the farm, the principal soil depleting crop shall be the soil depleting crop on the farm which is of major importance in terms of acreage in the county in which such farm is located. Upon recommendation by the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, a different basis for determining the principal soil depleting crop may be employed.

(b) The soil building payment shall be made to the owner, share-tenant, or share-cropper who the County Committee determines under instructions issued by the Secretary has incurred the expense in 1936 with respect to the soil building practices; where two or more persons are thus determined by the County Committee to have incurred the expense in 1936 with respect to the soil building practices, the soil building payment shall be divided equally between them.

(c) Any share of the soil conserving or the soil building payment shall be computed without regard to questions of title under State law, without deductions of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of the owner or any other creditor.

(d) If the Secretary, upon the basis of an investigation by the State Committee, finds that any person has for 1936 made any change from the 1935 leasing or cropping arrangement for the farm, for the purpose of, or which would have the effect of, diverting to such person any payment to which tenants or share-croppers would be entitled if the 1935 leasing or cropping arrangement were in effect for 1936, the amount of any payment which would otherwise be made to such person may be withheld in whole or in part.

SECTION 4. Multiple Farm Holdings.—If any person who has made an application for a grant with respect to any farm has an interest, as owner or share tenant, in another farm on which the acreage used for the production of soil depleting crops in 1936 exceeds the acreage normally used for the production of such crops on such other farms, the payment to be made to such person may, in the discretion of the Secretary, be computed either in accordance with the procedure set forth in Sections 5, 6, and 7 below, or in accordance with such procedure as applied to all the farms owned or operated by such person in any State.

SECTION 5. Amount of Soil Conserving Payment Where Two or More Farms Are Owned or Operated in One County.—If a person owns or operates more than one farm in a county, the amount of soil conserving payment to such person shall, subject to the provisions of Section 4, above, be computed as follows:

(a) For each such farm in the county: (1) Multiply the number of acres diverted from the general soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) multiply the number of acres diverted from the tobacco soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (3) add the amounts thus obtained for all such farms.

(b) For each such farm in the county on which there has been: (1) an increase in the total acreage of the crops in the general soil depleting base over the general soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) an increase in the acreage of tobacco over the tobacco soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (3) add the amounts thus obtained for all such farms.

(c) The amount by which the total obtained under subsection (a) of this Section 5 exceeds the total obtained under subsection (b) of this Section 5 shall be the amount of soil conserving payment: *Provided, That:* (1) The total amount of soil conserving payment to any person for diversion from general soil depleting bases to soil conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part V) of the maximum soil conserving payment, as specified in Section 2 (a) of Part II, for each such farm in the county; (2) The total amount of soil conserving payment to any person for diversion from tobacco soil depleting bases to soil conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part V) of the maximum soil conserving payment with respect to tobacco, as specified in Section 2 (b) of Part II, for each such farm in the county.

(d) If the total obtained under subsection (b) is greater than the total obtained under subsection (a), the difference shall be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in the county by such person in 1936.

SECTION 6. Amount of Soil Building Payment Where Two or More Farms Are Owned or Operated in One County.—If a person owns or operates more than one farm in a county, the amount of soil building payment to such person shall, subject to the provisions of Section 4, above, be computed as follows:

(a) For each such farm in the county, (1) multiply the number of acres devoted to each approved soil building practice by the rate specified for such practice and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) Add the amounts thus obtained for all such farms.

(b) For each such farm in the county (1) ascertain the amount of any Class II or soil building payment which any other person may be entitled to receive with respect to any approved soil building practice upon such farm, pursuant to the provisions of Section 5 of Part V; (2) subtract the resulting amount from the soil building allowance for such farm; (3) credit the remainder to the owner of such farm if such owner has made application for a grant in the county, and, if such owner has not made application for a grant in the county, credit the remainder to the operator of such farm; (4) add the amounts thus credited to the person whose total soil building payment is being computed.

(c) The amount of soil building payment shall be the total obtained under subsection (a) of this Section 6, not in excess of the total obtained under subsection (b) of this Section 6.

SECTION 7. Deduction for Failure to Have Minimum Acreage of Soil Conserving Crops Where Two or More Farms Are Owned or Operated in One County.—If the total acreage of soil conserving crops on all farms owned or operated by any person in the county in 1936 does not equal or exceed the minimum acreage of soil conserving crops as provided in Section 4 of Part II, there shall, subject to the provisions of Section 4, Part V, be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in such county an amount computed as follows:

(a) Ascertain the additional number of acres necessary to reach an acreage equal to the total minimum acreage of soil conserving crops for all farms owned or operated in the county, by subtracting from the number of acres representing the total minimum acreage of soil conserving crops for such farms the total number of acres of soil conserving crops actually on such farms;

(b) Multiply the number of acres ascertained in subsection (a) above, by an amount equal to one and one-half times the rate per acre applicable to the farm having the highest rate determined pursuant to the provisions of Section 2 (a) of Part II.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official

seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 15th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 399—Filed, April 23, 1936; 12:43 p. m.]

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

[Bulletin No. 1, Revised]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, payments will be made in connection with the effectuation of the purposes of Section 7 (a) of the said Act for 1936, in accordance with the following provisions of this Western Region, Bulletin No. 1, Revised (which revises and supersedes Western Region, Bulletin No. 1), and such other provisions as may hereafter be made.

PART I. DEFINITIONS

As used herein and in all forms and documents relating to the 1936 Agricultural Conservation Program in the Western Region, the following terms shall have the following meanings:

Secretary means the Secretary of Agriculture of the United States.

Western region means the area included in the States of North Dakota, Kansas, Colorado, Wyoming, Montana, New Mexico, Arizona, California, Utah, Nevada, Idaho, Oregon, and Washington.

Western division means the division of the Agricultural Adjustment Administration in charge of the 1936 Agricultural Conservation Program in the Western Region.

State committee or *State agricultural conservation committee* means the group of persons designated for a state to assist in the administration of the 1936 Agricultural Conservation Program in such State.

County committee or *county agricultural conservation committee* means the group of persons designated for a county to assist in the administration of the 1936 Agricultural Conservation Program in such county.

Person means an individual, partnership, association, or corporation.

Owner means a person who owns land which is not rented to another for cash or for a fixed commodity payment, or who rents land from another for cash or for a fixed commodity payment, or who is purchasing land on installments for cash or for a fixed commodity payment.

Operator means a person who as owner or share-tenant is operating a farming unit and is entitled to receive all or a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets part or all of the farming unit to another share-tenant, and both such share-tenants are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed operators.

Share-tenant means a person other than an owner or sharecropper who is operating a farm and is entitled to receive a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets a farm to another person, and both such persons are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed share-tenants.

Share-cropper means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of a crop produced thereon, or the proceeds thereof.

Farming unit means all land which is farmed by an operator in 1936 as a single unit, with workstock, farm machinery, and labor substantially separate from that for any other land.

Farm means all tracts of farm land in the same county under the same ownership, operated as all or part of a single farming unit by the same operator in 1936.

Crop land means all farm land which is tillable and from which at least one crop other than wild hay was harvested between January 1, 1930, and January 1, 1936, and all other farm land which is devoted to orchards or vineyards which had not reached bearing age on January 1, 1936.

Total soil depleting base means the total number of acres established for the farm as the acreage normally used for the production of soil depleting crops.

General soil depleting base means the number of acres established for the farm as the acreage normally used for the production of all soil depleting crops except cotton, tobacco, rice, sugar beets, and flax. Such general soil depleting base shall be determined by subtracting from the total soil depleting base the sum of the cotton soil depleting base, the tobacco soil depleting base, the rice soil depleting base, the sugar beet soil depleting base, and the flax soil depleting base.

Cotton soil depleting base means the number of acres established for the farm as the acreage normally used for the production of cotton.

Tobacco soil depleting base means the number of acres established for the farm as the acreage normally used for the production of tobacco.

Sugar beet soil depleting base means the number of acres on the farm used for the production of sugar beets in 1936 not in excess of the total soil depleting base less the sum of any cotton, tobacco, flax, and rice soil depleting bases for the farm.

Flax soil depleting base means the number of acres on the farm used for the production of flax in 1936 not in excess of the total soil depleting base less the sum of any cotton, tobacco, sugar beet, and rice soil depleting bases for the farm.

Rice soil depleting base means the number of acres allocated to the farm for the production of rice in 1936.

Soil conserving payment means a payment for the diversion of acreage from any soil depleting base to the production of soil conserving crops. Such payment is also referred to as Class I payment.

Soil building payment means a payment for the carrying out of such soil building practices as are approved by the Secretary. Such payment is also referred to as Class II payment.

Soil building allowance means the largest amount for any farm that may be obtained as soil building payment. The soil building allowance for any farm shall be computed by multiplying the number of acres of crop land on the farm used in 1936 for soil conserving crops by one dollar, except that if such acreage is less than 10 acres the soil building allowance shall be ten dollars. For purposes of computing this allowance, the acreage of soil conserving crops shall include the number of acres devoted to winter cover crops and green manure crops, seeded following vegetable crops, including potatoes, and sweet potatoes, and plowed or disced under as green manure between January 1, 1936 and October 1, 1936, after having attained at least two months' growth.

PART II. RATES AND CONDITIONS OF PAYMENT

Payment will be made, in connection with the utilization in 1936 of the land on any farm in the Western Region, in the amounts and subject to the conditions hereinafter set forth:

SECTION 1. Soil Building Payment.—Payment will be made for the carrying out of such soil building practices on crop land or non-crop pasture land in 1936, at such rates in any State, and upon such conditions as are recommended by the State Committee for such State, or by the Agricultural Adjustment Administration and approved by the Secretary: *Provided*, That the soil building payment with respect to any farm shall not exceed the soil building allowance for such farm.

SECTION 2. Soil Conserving Payment.—Payment will be made for each acre diverted in 1936 from the general soil depleting base, the cotton soil depleting base, and the tobacco soil depleting base, which in 1936 is used for the production of any soil conserving crop, and from which, in 1936, no soil depleting crop is harvested: *Provided*, That changes in the use of such land which involve the destruction of foods, fibres,

or feed grains, will not be approved for payment. The amount of any such payment shall be computed as follows:

Soil-depleting crop	Payment for each acre of the base used in 1936 in the manner specified	Maximum acreage with respect to which payment will be made
(a) Crops in the general soil-depleting base.	An average for the United States of \$10 per acre, varying among States, counties, and individual farms, as the productivity of the crop land used for these crops varies from the average productivity of all such crop land in the United States. ¹	15 percent of the general soil-depleting base.
(b) Cotton	5¢ for each pound of the normal yield per acre of cotton for the farm.	35 percent of the cotton soil-depleting base. ²
(c) Tobacco	5¢ for each pound of the normal yield per acre of tobacco for the farm.	30 percent of the tobacco soil-depleting base.
(d) Sugar beets, flax, and rice.	Payments which will be made with respect to sugar beets, flax, and rice are set forth in sections 3, 4, and 5, respectively.	

¹The rate per acre will vary among the states and counties depending upon the productivity of the crop land devoted to corn, wheat, oats, barley, rye, buckwheat, grain sorghum, soybeans, dry edible beans, sorghum for syrup, broom corn, potatoes, and sweet potatoes; and will vary among farms within the county depending upon the productivity of the crop land on the farm as measured by the yield of a major soil depleting crop in the county. Upon the recommendation of the State Committee or the Agricultural Adjustment Administration and approval by the Secretary the rate for any county determined in the manner described above may be adjusted. In making this adjustment such additional factors will be considered as the Secretary determines will more accurately reflect the productivity of the crop land in the county than would be reflected by the use of the factors mentioned above.

²The total payment made in any county pursuant to this provision will be made with respect to an acreage not exceeding 25 percent of the aggregate of the cotton soil depleting bases which could be established for all farms in the county. Upon the recommendation of the State Committee, and approval by the Agricultural Adjustment Administration, a group of counties may be considered as a single county in determining the maximum cotton acreage with respect to which payment will be made.

SECTION 3. Sugar Beets.—Payment will be made with respect to any farm on which sugar beets are grown in 1936 in an amount for each acre of such crop grown on the farm in 1936 not in excess of the acreage allotment for sugar beets for such farm, equal to 12½ cents for each 100 pounds, raw value, of sugar commercially recoverable from the normal yield per acre of sugar beets for the farm.

The acreage allotment with respect to which the sugar beet payment will be made will be the sugar beet soil depleting base, unless the estimated total acreage of sugar beets planted for harvest in 1936 exceeds the acreage determined by the Agricultural Adjustment Administration to be required with normal yields to produce 1,550,000 short tons raw value of sugar. In the event that the estimated total acreage of sugar beets planted for harvest in 1936 exceeds the acreage so determined to be required to produce 1,550,000 short tons raw value of sugar, the acreage allotment for the farm shall be that percentage of the sugar beet soil depleting base which is computed by dividing the acreage so determined to be required to produce 1,550,000 short tons of raw value sugar, by the total acreage of sugar beets planted for harvest in 1936. Such percentage of the sugar beet soil depleting base for the farm shall become the acreage allotment for sugar beets for the farm.

SECTION 4. Flax.—Payment will be made with respect to any farm on which flax is grown in 1936 in an amount for each acre of such crop grown on the farm in 1936 not in excess of the acreage allotment for flax for the farm, equal to 20 cents per bushel of the normal yield per acre of flaxseed for such farm.

The acreage allotment with respect to which a flax payment will be made will be the flax soil depleting base, unless the estimated total acreage of flax planted for harvest in 1936 exceeds the acreage determined by the Agricultural Adjustment Administration to be required with normal yields to produce 19,000,000 bushels of flaxseed. In the event that the total acreage of flax planted for harvest in 1936 exceeds the acreage so determined to be required to produce 19,000,000 bushels of flaxseed, the acreage allotment

for the farm shall be that percentage of the flax soil depleting base which is computed by dividing the acreage so determined to be required to produce 19,000,000 bushels of flaxseed by the total acreage of flax planted for harvest in 1936. Such percentage of the flax soil depleting base for the farm shall become the acreage allotment for flax for the farm.

SECTION 5. Rice.—Payment will be made with respect to any farm on which rice is grown in 1936 to each producer participating in the production of such rice; *provided:* (1) There is devoted by the producer in 1936 to soil conserving crops, in addition to the acreage devoted to soil conserving crops pursuant to the provisions of any other section herein, an acreage of rice land equal to not less than 25 percent of the base rice acreage of the producer, and (2) That no rice is planted by such producer in 1936 on land on which rice has been planted in any three years of the four-year period 1932 to 1935, inclusive. The amount of such payment to any producer shall be computed as follows:

(a) In the event the acreage planted to rice by the producer in 1936 is equal to not less than 85 percent nor more than 100 percent of his base rice acreage, such payment will be made in the amount of 20 cents for each hundred pounds of the producer's domestic consumption quota of rice;

(b) In the event the acreage planted to rice by the producer in 1936 is less than 85 percent of his base rice acreage, such payment will be made at a rate which bears the same proportion to the rate specified in paragraph (a) above as the acreage of rice planted in 1936 bears to 85 percent of such base rice acreage;

(c) In the event the acreage planted to rice by the producer in 1936 is equal to more than 100 percent of the producer's base rice acreage, such payment will be made at a rate 4 percent less than the rate specified in paragraph (a) above for each one percent by which such 1936 rice acreage exceeds 100 percent of such base rice acreage. In the event the acreage planted to rice by the producer in 1936 exceeds 125 percent of the producer's base rice acreage, a deduction from any payment which otherwise would be made to the producer pursuant to any of the provisions herein will be made for each acre of such excess acreage at a rate equal to the rate of payment set forth in Section 2 (a).

SECTION 6. Adjustment in Rates.—The rates specified in Sections 2, 3, 4, and 5 above are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers. If participation in the Western Region exceeds that estimated for such region, all the rates specified in Sections 2, 3, 4, and 5 may be reduced pro rata. If participation in the Western Region is less than the estimate for such region, the rates may be increased pro rata. In no case will the rates be increased or decreased by more than 10 percent.

SECTION 7. Minimum Acreage of Soil Conserving Crops.—If the total acreage of soil conserving crops on crop land on the farm in 1936 does not equal or exceed an acreage equal to the sum of—

- (a) 15 percent of the general soil depleting base,
- (b) 20 percent of the cotton soil depleting base,
- (c) 20 percent of the tobacco soil depleting base,
- (d) 40 percent of the sugar beet soil depleting base,²
- (e) 20 percent of the flax soil depleting base,

deduction will be made from any payment which otherwise would be made with respect to the farm pursuant to any provision herein, in an amount equal to one and one-half times the rate per acre determined for the farm under Section 2 (a), multiplied by the number of acres by which the total acreage of soil conserving crops on crop land on the farm in 1936 is less than the acreage specified in this section. In computing any soil conserving payment which otherwise would be made, the computation shall be based upon an acreage no larger than the acreage of crop land on the farm used for the production of soil conserving crops in 1936.

² Such acreage must be adapted to the production of sugar beets.

SECTION 8. Increase in Acreage of Soil Depleting Crops.—

(a) If the total acreage of sugar beets, flax, and of the crops in the general soil depleting base on any farm in 1936 exceeds the sum of the sugar beet, flax, and general soil depleting bases, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (a) of Part II.

(b) If the acreage of cotton on any farm in 1936 exceeds the cotton soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (b) of Part II.

(c) If the acreage of tobacco on any farm in 1936 exceeds the tobacco soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (c) of Part II.

SECTION 9. Payments Restricted to Effectuation of Purposes.—All or any part of any payment which otherwise would be made with respect to any farm may be withheld if any rotation, cropping, or other practices are adopted on the farm in 1936, which practices the Secretary determines tend to defeat the purposes of the 1936 Agricultural Conservation Program.

PART III. ESTABLISHMENT OF BASES.

SECTION 1. Total Soil Depleting Base.—The County Committee will recommend for approval by the Secretary a total soil depleting base for each farm which shall represent the acreage normally used for the production of all soil depleting crops on such farm and shall be determined as indicated hereinafter. The total soil depleting base shall be the acreage of all the soil depleting crops, except rice, harvested in 1935,² subject to the following adjustments:

(a) There shall be added to the 1935 acreage of soil depleting crops the number of "rented", "contracted", or "retired" acres under 1935 commodity adjustment programs from which no soil depleting crops were harvested in 1935.

(b) Where, because of unusual weather conditions, the number of acres of soil depleting crops harvested in 1935 was greater or less than the acreage of such crops usually harvested on the farm, such number of acres shall be decreased or increased to an acreage which is comparable to the acreage of such crops harvested on such farm under normal conditions in past years.

(c) Where the 1935 acreage of soil depleting crops for any farm, adjusted, if necessary, as heretofore indicated, is materially greater or less than the 1935 acreage of soil depleting crops on farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a total soil depleting base for such farm which is equitable, as compared with the total soil depleting bases for such other similar farms.

(d) There shall be added to the acreage of soil depleting crops, except rice, harvested on the farm in 1935, an acreage equal to the rice soil depleting base as established under Section 3 (c) below, *Provided*, however, that if the rice soil depleting base is in excess of the acreage of rice land on the farm from which rice was harvested in 1935 plus the acreage of rice land from which no other soil depleting crop was harvested in 1935, the acreage which otherwise would be included in one or more of the other soil depleting bases shall be reduced by an acreage equal to the amount of such excess.

For each county, a ratio of the total acreage in soil depleting crops to all farm land, or to all crop land, will be established by the Agricultural Adjustment Administration from available statistics, such ratio to be referred to as the county

limit. The ratio of the aggregate of the total soil depleting bases established in a county to all farm land or to all crop land in the farms for which such bases are established shall not exceed the county limit for such county unless a variance therefrom is recommended by the State Committee and approved by the Agricultural Adjustment Administration.

SECTION 2. General Soil Depleting Base.—The general soil depleting base for any farm shall represent for such farm the acreage normally used for the production of all soil depleting crops except cotton, tobacco, sugar beets, flax, and rice. The general soil depleting base for any farm shall be the difference between the total soil depleting base and the sum of any cotton, tobacco, sugar beet, flax, and rice soil depleting bases.

SECTION 3. Soil Depleting Bases for Individual Crops.—

(a) **Cotton and Tobacco.**—The County Committee may recommend for approval by the Secretary, as part of the total soil depleting base, a cotton soil depleting base and a tobacco soil depleting base. Any such bases shall be equal to the acreages which were established for such farm under the procedure for adjustment programs for 1936, or which could have been established under such procedure, subject to the following adjustments:

(1) If, under the procedure for adjustment programs for 1936, the sum of the cotton and tobacco acreages for any farm exceeds the annual average of the total acreage of such crops harvested in a representative period preceding 1934, such acreages shall be adjusted downward to eliminate such excess.

(2) Where the cotton and tobacco acreage determined for any farm as heretofore indicated, is materially greater or less than the acreages of cotton and tobacco respectively determined as heretofore indicated for farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a cotton soil depleting base and a tobacco soil depleting base which are equitable as compared with such bases for such other similar farms.

(3) Upon request by the operator of any farm, a cotton or a tobacco soil depleting base smaller than that determined as hereinbefore indicated may be recommended by the County Committee.

The sum of the cotton soil depleting bases and of the tobacco soil depleting bases, respectively, for the farms in any county or other specified area, shall not exceed an acreage for cotton and tobacco, respectively, established for such county or other specified area by the Agricultural Adjustment Administration.

(b) **Sugar Beets and Flax.**—

(1) The sugar beet soil depleting base shall be equal to the number of acres used for the growing of sugar beets in 1936, not in excess of the total soil depleting base less the sum of any cotton, tobacco, flax, and rice soil depleting bases.

(2) The flax soil depleting base shall be equal to the number of acres used for the growing of flax in 1936 not in excess of the total soil depleting base less the sum of any cotton, tobacco, rice, and sugar beet soil depleting bases.

(c) **Rice Soil Depleting Base.**—The rice soil depleting base shall be the total number of acres allocated to the farm by each producer participating in the production of rice on such farm in 1936 from each such producer's base rice acreage.

The base rice acreage and the base rice production for any producer for 1936 shall be the allotment and quota that were, or could have been, under applicable administrative rulings, prescribed in connection with the 1935 rice program in 1936, as allocated among all farms whereon such producer participates in rice production in 1936: *Provided, however*,

(1) If, because any producer did not grow rice in any one or more of the years 1929-1933, inclusive, such base rice acreage and base rice production are materially less than the base acreage and base production for other produc-

² Where more than one soil depleting crop was harvested from the same land in 1935, such acreage shall be counted only once.

ers on farms in the same community which are similar with respect to size, type of soil, farming practices, and facilities for rice production, and which are operated by producers who did grow rice in all of the years 1929-1933, inclusive, the county committee shall recommend adjustments which will result in a base rice acreage and base rice production which are equitable for the farm or farms as compared with the base rice acreages and base rice productions for producers on such other similar farms; and

(2) If, for the farm or farms on which a producer participates in the production of rice, such base rice acreage and base rice production are materially greater than the bases for other producers on farms in the same community which are similar with respect to size, type of soil, farming practices and facilities for rice production, the county committee shall recommend such adjustment as will result in a base rice acreage and base rice production for such producer which are equitable as compared with the base rice acreage and base rice production of producers on such other similar farms.

The total base rice acreage, base rice production, and Domestic Consumption Quota for all farms in the State of California shall not exceed 103,000 acres, 2,928,765 bags, and 2,833,311 bags, respectively.

SECTION 4. *Appeals*.—Any person who has reason to believe that any base recommended for his farm is not equitable, may request the county committee to reconsider its recommendation. If no agreement is reached between such person and such committee, an appeal may be taken in accordance with such rules as may be prescribed by the Secretary.

PART IV. CLASSIFICATION OF CROPS

Farm land when devoted to the crops and uses indicated hereinafter shall be classified as follows, except for such additions or modifications as may be recommended by the State Committee or the Agricultural Adjustment Administration and approved by the Secretary. If any acreage on the farm is used for the production of interplanted crops, the actual acreage of each interplanted crop shall be classified in accordance with the following classification.

SECTION 1. *Soil Depleting Crops*.—Land devoted to any of the following crops shall be regarded as used for the production of a soil depleting crop for the year in which such crop is harvested:

- (a) Corn (field, sweet, and popcorn).
- (b) Cotton.
- (c) Tobacco.
- (d) Potatoes.
- (e) Sweet potatoes.
- (f) Rice.
- (g) Sugar beets.
- (h) Hemp.
- (i) Cultivated sunflowers.
- (j) Mustard (commercial).
- (k) Hops.
- (l) Artichokes.
- (m) Bulbs.
- (n) Rape.
- (o) Truck, and vegetable crops and their seed, melons, and strawberries.
- (p) Peanuts, if harvested as nuts.
- (q) Sorghums *harvested for grain, hay, or pastured*, including grain sorghums, sweet sorghums, broom corn, and Sudan grass.
- (r) Small grains *harvested for grain, hay, or pastured*, including wheat, oats, barley, rye, rice, buckwheat, flax, emmer, spelt, and grain mixtures.
- (s) Millets.
- (t) Safflower.
- (u) Annual legumes, *harvested for grain, hay, or pastured*, including soybeans, field beans, cowpeas, field peas, seed peas, canning peas, and vetch.

SECTION 2. *Soil-Conserving Crops*.—Land devoted to any of the following crops shall be regarded as used for the produc-

tion of a soil-conserving crop, except that any land from which a soil-depleting crop is harvested in the same year shall be regarded as having been used for the production of a soil-depleting crop in such year, unless otherwise provided:

(a) *Perennial grasses*, including bluegrass, timothy, red-top, orchard, Bermuda, brome, blue stem, gharma, buffalo, wheat grasses, rye grasses, reed canary grass, and grass mixtures; *with or without* such nurse crops as rye, oats, wheat, barley, flax, grain mixtures, or peas, *when such nurse crops are pastured or clipped green*.

(b) *Annual legumes*, including bur, sour, and crimson clover, annual varieties of sweet clover, sesbania, and annual varieties of lespedeza; *with or without* such nurse crops as rye, oats, wheat, barley, flax, grain mixtures, or peas, *when such nurse crops are pastured or clipped green*. Soybeans, field beans, field peas, and cowpeas, *when turned under as a green manure crop*.

(c) *Biennial legumes*, including sweet, red, alsike, ladine, and Mammoth clovers; *with or without* such nurse crops as rye, oats, wheat, barley, flax, grain mixtures, or peas, *when such nurse crops are pastured or clipped green*.

(d) *Perennial legumes*, including alfalfa, sericea, and white clover; *with or without* such nurse crops as rye, oats, wheat, barley, flax, grain mixtures, or peas, *when such nurse crops are pastured or clipped green*.

(e) *Green manure crops*, including annual, biennial, and perennial legumes, rye, barley, wheat, oats, vetch, and small grain mixtures, *turned under as green manure, whether winter pastured or not*.

(f) *Forest trees* planted on crop land since January 1, 1934.

SECTION 3. *Neutral Uses*.—Land devoted to the following uses shall be regarded as not used for the production of a soil depleting crop or a soil conserving crop, unless otherwise provided:

- (a) Orchards, vineyards, tree and small fruits or nut trees.
- (b) Idle crop land unless otherwise classified because of unusual weather conditions.
- (c) Cultivated fallow including clean cultivated orchards and vineyards unless otherwise classified.
- (d) Roads, lanes, lots, yards, waste, and other similar uses.
- (e) Woodland other than crop land planted since January 1, 1934.

PART V. FORMS

Included herein are copies of the Work Sheets (WR-1, Work Sheet "A" and WR-2, Work Sheet "B") prepared by the Western Division for use in connection with the establishment of soil depleting bases for farms in the Western Region. Work Sheets are to be prepared in triplicate, one copy to be filed in the office of the State Committee, one copy to be filed in the office of the County Agricultural Conservation Association, and one copy to be returned to the producer.

Form WR-1
U. S. Department of Agriculture
Agricultural Adjustment Administration

State and county code and work sheet serial number.....

1936 SOIL CONSERVATION PROGRAM

WORK SHEET A—WESTERN REGION

SECTION I. _____
(Name of 1936 operator)

(Address)

(Name of owner, if other than operator)

(Address)

hereby submits information with respect to the land described below for consideration by the County Agricultural Conservation Association. Nothing contained herein shall place any obligation upon any person.

Date _____, 1936. _____
(Signature of owner or operator)

SECTION II. Land is located _____ from _____
(Miles and direction) (Town)

on _____ Road, in _____ Township;
or legal description: _____, in
_____ County, State of _____

SECTION III.—Utilization of land.

Crop or land use	1935 (a)	Adjusted (b)
1. Corn		
2. Winter wheat		
3. Spring wheat		
4. Oats for grain		
5. Barley		
6. Rye for grain		
7. Flax		
8. Sugar beets for sugar		
9. Potatoes		
10. Grains cut for hay		
11.		
12.		
13.		
14. Truck and vegetable crops		
15. Subtotal (1-14)		
16. Alfalfa		
17. Sweet clover		
18. Clover and timothy		
19. Other tame hay		
20.		
21. Subtotal (16-21)		
22.		
23.		
24.		
25.		
26. Orchards and vineyards		
27. Subtotal (23-26)		
28. Total crop acreage		

SECTION IV.—Distribution of farm acreage.

1. Total acreage, all land	
2. Roads, lanes, fences, lots, etc.	
3. Woods, waste, etc.	
4. Pasture and range land	
5. Wild hay	
6. Subtotal (items 2 to 5, inclusive)	
7. Total crop acreage	

SECTION V.—A. A. A. Contract Data.

Commodity	Serial no.	Base		
		Years	Acres	Yield
1.				
2.				
3.				

SECTION VI.—Yield of major crops on land.

Crop	Yield per acre		
	Reported	Adjusted	Final
1.			
2.			
3.			

SECTION VII.—Base acreage.

1. Soil-depleting crops		acres.
(a)		
(b)	(Name of crop)	(Acres) (Allotment)
(b)	(Name of crop)	(Acres) (Allotment)
2. Soil-conserving crops		acres.
(Name of person assisting in filling out work sheet)		
Reviewed by	Date	1936.
(County committee)		

Form WR-2

U. S. Department of Agriculture
Agricultural Adjustment Administration
State and county code and work sheet serial number
1936 SOIL CONSERVATION PROGRAM
WORK SHEET B—WESTERN REGION

SECTION I.

(Name of 1936 operator)
(Address)
(Name of owner, if other than operator)
(Address)

hereby submits information with respect to the land described below for consideration by the County Agricultural Conservation Association. Nothing contained herein shall place any obligation upon any person.

Date _____, 1936.

(Signature of owner or operator)

SECTION II.—Land is located _____ from _____

(Miles and direction)

on _____ Road, in _____

(Town)

Township; or legal description: _____
in _____ County, State of _____

SECTION III.—Utilization of land.

Crop or land use	1935 (a)	Adjusted (b)
1. Corn		
2. Wheat		
3. Cotton		
4. Oats for grain		
5. Barley		
6. Rice		
7. Flax		
8. Sugar beets for sugar		
9. Potatoes (Irish and Sweet)		
10. Grains cut for hay		
11.		
12.		
13.		
14. Truck and vegetable crops		
15. Subtotal (1-14)		
16. Alfalfa		
17. Clover and timothy		
18. Other tame hay		
19.		
20.		
21. Subtotal (16-21)		
22.		
23.		
24.		
25. Vineyards		
26. Orchards and small fruits		
27. Subtotal (23-26)		
28. Total crop acreage		

SECTION IV.—Distribution of farm acreage.

1. Total acreage, all land	
2. Roads, lanes, fences, lots, etc.	
3. Woods, waste, etc.	
4. Pasture and range land	
5. Wild hay	
6. Subtotal (items 2 to 5, inclusive)	
7. Total crop acreage	

SECTION V.—A. A. A. Contract Data.

Commodity	Serial No.	Base		
		Years	Acres	Yield
1.				
2.				
3.				

SECTION VI.—Yield of major crops on land.

Crop	Yield per acre		
	Reported	Adjusted	Final
1.			
2.			
3.			

SECTION VII.—Base acreage.

1. Soil-depleting crops		acres.
(a)		
(b)	(Name of crop)	(Acres) (Allotment)
(b)	(Name of crop)	(Acres) (Allotment)
2. Soil-conserving crops		acres.
(Name of person assisting in filling out work sheet)		
Reviewed by	Date	1936.
(County committee)		

PART VI. MISCELLANEOUS PROVISIONS

SECTION 1. Land to be Covered by Work Sheet.—(a) Where one or more farms in the same county are under the same ownership and are operated in 1936 as part or all of a single farming unit by the same operator, such farm or farms shall be covered by one work sheet.

(b) Where two or more farms in the same county are under different ownerships, even though they are operated in 1936 as part or all of a single farming unit by the same operator, each separately owned farm shall be covered by a separate work sheet.

(c) Where two or more farms in the same county are under the same ownership and are operated in 1936 as separate farming units, each separately operated farm shall be covered by a separate work sheet.

(d) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit used for hay, meadow, pasture, or other similar uses is rented for cash from the same landlord, it will not be necessary to execute more than one work sheet for both such share-rented and such cash-rented land.

(e) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit not used for hay, meadow, pasture, or other similar uses is rented for cash from the same or a different landlord, it will be necessary to execute a work sheet for such share-rented land and a separate work sheet for such cash-rented land.

(f) For purposes of execution of the work sheet, a farm consisting of adjacent tracts under the same ownership, located in two or more counties, and operated in 1936 as a part or all of a single farming unit by the same operator, shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, as located in the county in which the major portion of such farm is located.

SECTION 2. Application and Eligibility for Grant.—(a) Grants will only be made upon application filed with the county committee. Each person applying for a grant will be required to show that work sheets have been executed covering all land in the county owned or operated by him and the extent to which the conditions upon which the grant is to be made have been met. Any person applying for a grant who owns or operates land in more than one county in the same State may be required to file in the office of the State Committee a list of all such land.

(b) An application for a grant may be made by: (1) An owner operating a farm owned by him; (2) A share-tenant operating a farm rented by him on shares; (3) An owner who has rented a farm to another on shares; (4) Such other persons as may be designated by the Secretary.

(c) For the purpose of determining the eligibility of an operator for a grant where the farming unit operated by him includes a farm located in two or more adjoining counties, such farm shall be regarded as located in the county in which the principal dwelling on such farming unit is located, or, if there is no dwelling on such farming unit, such farm shall be regarded as located in the county in which the major portion of such farm is located.

(d) The eligibility of a person for a grant in a county shall be subject to the provisions of Section 4 below, determined by (1) the performance on all farms in the county (or regarded as being in the county) owned and operated by him; (2) the performance on all farms in the county (or regarded as being in the county) operated by him and rented on shares from another; (3) the performance on all farms in the county owned by him and rented on shares to another.

SECTION 3. Division of Payments.—(a) All payments shall be divided among owners, share-tenants, and share-croppers, in the same proportion as the principal soil depleting crop or the proceeds thereof are divided under their lease or operating agreement. Upon recommendation by the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, a different basis for dividing any of such payments may be employed. The

term, "principal soil depleting crop", as used herein, means the soil depleting crop to which the greatest number of acres on the farm is devoted. If there is no soil depleting crop which has a larger acreage than any other soil depleting crop on the farm, the principal soil depleting crop shall be the soil depleting crop on the farm which is of major importance in terms of acreage in the county in which such farm is located. Upon recommendation by the State Committee or the Agricultural Adjustment Administration and approval by the Secretary, a different basis for determining the principal soil depleting crop may be employed.

(b) Any share of soil conserving or soil building payments shall be computed without regard to questions of title under State law, without deductions of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of the owner or any other creditor.

(c) If the Secretary, upon the basis of an investigation by the State Committee, finds that any person has for 1936 made any change from the 1935 leasing or cropping arrangement for the farm, for the purpose of, or which would have the effect of, diverting to such person any payment to which tenants or share-croppers would be entitled if the 1935 leasing or cropping arrangement were in effect for 1936, the amount of any payment which would otherwise be made to such person may be withheld in whole or in part.

SECTION 4. Multiple Farm Holdings.—If any person who has made an application for a grant with respect to any farm has an interest, as owner or share tenant, in another farm on which the acreage used for the production of soil depleting crops in 1936 exceeds the acreage normally used for the production of such crops on such other farm, the payment to be made to such person may, in the discretion of the Secretary, be computed either in accordance with the procedure set forth in Sections 5, 6, and 7 below, or in accordance with such procedure as applied to all the farms owned or operated by such person in any State.

SECTION 5. Amount of Soil Conserving Payment Where Two or More Farms are Owned or Operated in One County.—If a person owns or operates more than one farm in a county, the amount of the soil conserving payment to such person shall, subject to the provisions of Section 4 above, be computed as follows:

(a) For each such farm in the county: (1) Multiply the number of acres diverted from the general soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part VI; (2) Multiply the number of acres diverted from the cotton soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part VI; (3) Multiply the number of acres diverted from the tobacco soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (c) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part VI; (4) Add the amounts thus obtained for all such farms.

(b) For each such farm in the county on which there has been: (1) an increase in the total acreage of sugar beets, flax, and the crops in the general soil depleting base over the sum of the sugar beet, flax, and the general soil depleting bases, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part VI; (2) an increase in the acreage of cotton over the cotton soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be deter-

mined in accordance with Section 3 of Part VI; (3) an increase in the acreage of tobacco over the tobacco soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (c) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part VI. Add the amounts thus obtained for all such farms.

(c) The amount by which the total obtained under subsection (a) of this Section 5 exceeds the total obtained under subsection (b) of this Section 5 shall be the amount of soil conserving payment: *Provided*, That (1) The total amount of soil conserving payment to any person for diversion from general soil depleting bases to soil conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part VI) of the maximum soil conserving payment, as specified in Section 2 (a) of Part II, for each such farm in the county; (2) The total amount of soil conserving payment to any person for diversion from cotton soil depleting bases to soil conserving crops shall not exceed the amount of his shares (determined in accordance with the provisions of Section 3 of Part VI) of the maximum soil conserving payment with respect to cotton, as specified in Section 2 (b) of Part II, for each such farm in the county; (3) The total amount of soil conserving payment to any person for diversion from tobacco soil depleting bases to soil conserving crops shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part VI) of the maximum soil conserving payment with respect to tobacco, as specified in Section 2 (c) of Part II, for each such farm in the county; (4) The total amount of the payments to any person with respect to sugar beets and flax, respectively, shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part VI) of the maximum payments with respect to sugar beets and flax, respectively, as specified in Sections 3 and 4, respectively, of Part II, for each farm in the county.

(d) If the total obtained under subsection (b) is greater than the total obtained under subsection (a), the difference shall be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in the county by such person in 1936.

SECTION 6. Amount of Soil Building Payment Where Two or More Farms are Owned or Operated in One County.—If a person owns or operates more than one farm in a county, the amount of the soil building payment to such person shall, subject to the provisions of Section 4, of Part VI, be computed as follows:

(a) For each such farm in the county multiply the number of acres devoted to an approved soil building practice by the rate specified for such practice and multiply this result by the percentage to which such person is entitled; such percentage to be determined in accordance with Section 3 of Part VI; (b) Add the amounts thus obtained for all such farms, *Provided, however*, the total amount of soil building payment to any person shall not exceed an amount computed as follows:

(1) For each such farm in the county multiply the number of acres used for the production of soil conserving crops on such farm by \$1.00 and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part VI; (2) Add the results thus obtained for all such farms.

SECTION 7. Deduction for Failure to Have Minimum Acreage of Soil Conserving Crops Where Two or More Farms are Owned or Operated in One County.—If the total acreage of soil conserving crops on all farms owned or operated by any person in the county in 1936 does not equal or exceed the minimum acreage of soil conserving crops as provided in Section 7 of Part II, there shall, subject to the provisions of Section 4, Part VI, be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in such county an amount computed as follows:

(a) Ascertain the additional number of acres necessary to reach an acreage equal to the total minimum acreage of soil conserving crops for all farms owned or operated in the county, by subtracting from the number of acres represent-

ing the total minimum acreage of soil conserving crops for such farms the total number of acres of soil conserving crops actually on such farms;

(b) Multiply the number of acres ascertained in subsection (a) above, by an amount equal to one and one-half times the rate per acre applicable to the farm having the highest rate determined pursuant to the provisions of Section 2 (a) of Part II.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 15th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 401—Filed, April 23, 1936; 12:41 p. m.]

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

[Bulletin No. 1 Revised, Supplement (a)]

SECTION 1. In addition to the soil conserving crops listed in Section 2 of Part IV, "Classification of Crops", of Western Region Bulletin No. 1, Revised, the acreage devoted to the following soil conserving practices with respect to rice may be substituted acre for acre for the soil conserving crops provided for in Section 5 of Part II, "Rates and Conditions of Payment", of Western Region Bulletin No. 1, Revised:

1. Land adapted to the production of rice for which water for rice is readily available and on which no soil depleting crop is harvested in 1936.

2. Cultivated fallow land adapted to the production of rice for which water for rice is readily available, and on which no soil depleting crop is harvested in 1936.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 15th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 402—Filed, April 23, 1936; 12:41 p. m.]

ORDER SUSPENDING OPERATION OF LICENSE FOR MILK— FALL RIVER, MASSACHUSETTS, SALES AREA

Whereas, H. A. Wallace, Secretary of Agriculture of the United States of America, acting under the provisions of the Agricultural Adjustment Act, as amended, for the purposes and within the limitations contained therein, and pursuant to the applicable general regulations issued thereunder, on March 24, 1934, issued, under his hand and the official seal of the Department of Agriculture, a license for milk, Fall River, Massachusetts, Sales Area, effective on April 1, 1934, at 12:01 a. m., eastern standard time, which license was subsequently amended; and

Whereas the Secretary of Agriculture has determined to suspend the said license, as amended;

Now, therefore, the undersigned, acting under the authority vested in the Secretary of Agriculture under the terms and provisions of the said Agricultural Adjustment Act, as amended, and pursuant to the applicable general regulations issued thereunder, hereby suspends, effective as of 12:01 a. m., eastern standard time, May 1, 1936, the said license, as amended, subject, however, to the following conditions:

1. That the provisions of section D of exhibit A of the said license, as amended, relating to the designation, rights, and duties of the market administrator, shall remain in force and effect for the purpose of enabling the market administrator, or his successor, to liquidate and settle all matters arising under the terms and provisions of the said license, as amended;

2. That any and all of the obligations which have arisen thereunder, or which may hereafter arise in connection

therewith, by virtue of, or pursuant to, the said license, as amended, shall not be affected, waived, or suspended hereby; and

3. That the market administrator, or his successor in office, designated in accordance with the provisions of the license, shall have the power and authority

(a) to collect any and all of the moneys due to the market administrator under the terms and provisions of the said license, as amended;

(b) to distribute, in accordance with the terms of said license, as amended, any moneys heretofore or hereafter collected in connection with the provisions of the said license, as amended; and

(c) to have and exercise all of the powers and authority vested in the market administrator, under the terms and provisions of the said license, as amended, which may be necessary or proper to carry out the foregoing purposes.

In witness whereof, H. A. Wallace, Secretary of Agriculture of the United States of America, has executed this order of suspension in duplicate, and has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 410—Filed, April 24, 1936; 12:19 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Ex Parte No. 115]

INCREASES IN FREIGHT RATES AND CHARGES, 1935

APRIL 23, 1936.

Notice to all Concerned:

The hearings in the above-entitled proceeding will be concluded on or about April 27, 1936. Briefs may be served and filed not later than May 15, 1936. Parties filing briefs are directed to send 30 copies to the Interstate Commerce Commission for its use and for that of the cooperative committee of State commissioners, and 25 copies to R. V. Fletcher, Transportation Building, Washington, D. C., for use of the applicants' counsel. No other service of briefs will be required, but shippers or others desiring briefs of other shippers may make requests directly on the latter for such briefs. Parties desiring copies of the applicants' brief should make request of R. V. Fletcher at the address shown above. In this manner it is hoped that needless expense on the part of those filing briefs may be avoided.

Reply briefs may be filed not later than May 28, 1936, and should be served on counsel whose briefs are thus replied to. The proceeding will thereupon stand as submitted.

The attention of the parties is directed to rule XXI of the Rules of Practice, which specifies the form and style in which briefs should be prepared. Particular attention is called to the requirement in rule XIV (a) of the Rules of Practice that each brief should contain an abstract of the evidence relied on by the party filing the brief with references to the pages of the record or exhibit where the evidence appears. Adequate compliance with the rule as to abstracting testimony will greatly facilitate consideration of the large record herein.

This proceeding has been assigned for oral argument before the Commission at its office in Washington, D. C., beginning at 10 o'clock a. m., eastern standard time, May 20, 1936. Counsel seeking an allotment of time should make written request therefor addressed to the Commission, which should reach the Commission not later than May 11, 1936. So far as possible to do so, parties having common interests should consolidate their oral arguments and briefs so as to avoid duplication and dilution of the time available.

By the Commission.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 407—Filed, April 24, 1936; 11:46 a. m.]

Vol. I—pt. 1—37—18

Tuesday, April 28, 1936

No. 32

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

EXCLUDING CERTAIN TRACTS OF LAND FROM TONGASS NATIONAL FOREST AND RESTORING THEM TO ENTRY

Alaska

By virtue of and pursuant to the authority vested in me by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C., sec. 473), and upon the recommendation of the Secretary of Agriculture, it is ordered that the following-described tracts of land in Alaska, occupied as homesites and identified by elimination surveys, plats and field notes of which are on file in the General Land Office, Washington, D. C., be, and they are hereby, excluded from the Tongass National Forest and restored to entry under the applicable public-land laws:

Homesite No. 136, lot I, Mud Bay group, east shore of Tongass Narros, Revillagigedo Island, 4.77 acres; approximate latitude 55°25' N., longitude 131°46' W.

Homesite No. 138, lot H, Mud Bay group, east shore of Tongass Narros, Revillagigedo Island, 4.98 acres; approximate latitude 55°24'30" N., longitude 131°46' W.

Homesite No. 145, lot D, Auke Lake group, Glacier Highway, on Auke Lake, 4.73 acres; approximate latitude 58°22'30" N., longitude 134°37'35" W.

Homesite No. 151, on the shore of the second bight north of Thoms Place Bay, Zimovia Strait, Wrangell Island, 4.03 acres; approximate latitude 56°10'50" N., longitude 132°10'30" W.

Homesite No. 210, lot C, Wrangell Island group, Zimovia Strait, near town of Wrangell, 4.80 acres; approximate latitude 56°26'36" N., longitude 132°22'39" W.

Homesite No. 263, lot A, Camp Island, Le Conte Bay, 4.94 acres; approximate latitude 56°44' N., longitude 132°33'55" W.

Homesite No. 322, north shore of Tenakee Inlet, Chichagof Island, 4.80 acres; approximate latitude 57°47'29" N., longitude 135°14'30" W.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
April 23, 1936.

[No. 7352]

[F. R. Doc. 421—Filed, April 24, 1936; 2:45 p. m.]

EXECUTIVE ORDER

EXCLUDING A CERTAIN TRACT OF LAND FROM CHUGACH NATIONAL FOREST AND RESTORING IT TO ENTRY

Alaska

By virtue of and pursuant to the authority vested in me by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C., sec. 473), and upon the recommendation of the Secretary of Agriculture, it is ordered that the following-described tract of land in Alaska, occupied as a homesite and identified by an elimination survey, plat and field notes of which are on file in the General Land Office, Washington, D. C., be, and it is hereby, excluded from the Chugach National Forest and restored to entry under the applicable public-land laws:

Homesite No. 32, near mile post No. 20 and Lakeview Station, Alaska Railroad, 3.30 acres; approximate latitude 60°21'40" N., longitude 149°21'20" W.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
April 23, 1936.

[No. 7353]

[F. R. Doc. 423—Filed, April 24, 1936; 2:45 p. m.]